

THE
NATIONAL
QUARTERLY REVIEW.

EDITED BY

EDWARD I. SEARS, A. M., LL. D.

VOL. XI. No. XXI. JUNE, 1865.

"Pulchrum est bene facere reipublicæ, etiam bene dicere haud absurdum est."

NEW YORK:

EDWARD I. SEARS, EDITOR AND PROPRIETOR.

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REDEMPTION OF \$500,000
Volunteer Soldiers'
FAMILY AID FUND BONDS No. 3,
OF THE CITY OF NEW YORK,
 PAYABLE JULY 1, 1865.

Notice is hereby given that the "Volunteer Soldiers' Family Aid Fund Bonds No. 3," of the City of New York, becoming due and payable, July 1, 1865, with the interest thereon, will be paid on that day, on the presentation of said Bonds at this Office.

PROPOSALS FOR A LOAN
 OF
\$500,000
 OF
 Volunteer Soldiers' Family Aid Fund Redemption Bonds,
OF THE CITY OF NEW YORK.

Sealed proposals will be received at this office, until THURSDAY, JUNE 22, 1865, at 2 o'clock P.M., when the same will be publicly opened, for the whole or any part of the sum of five hundred thousand dollars of Volunteer Soldiers' Family Aid Fund Redemption Bonds, of the City of New York, authorized by Chapter 25 of the Laws of 1863, and by an Ordinance of the Common Council, approved by the Mayor, May 19, 1865.

The said Bonds will bear interest at the rate of seven per cent. per annum, payable half-yearly, on the first day of May and November, in each year, and the principal will be redeemed on the first day of November, 1868.

The proposals will state the amount of bonds desired, and the price per one hundred dollars thereof, and the persons whose proposals are accepted, will thereupon be required to deposit with the Chamberlain (at the Broadway Bank), on or before the first day of July, 1865, the sums awarded to them respectively.

On presenting to the Comptroller the receipts of the Chamberlain for such deposits, the parties will be entitled to receive Bonds for equal amounts of the par value of the sums awarded to them, bearing interest from July 1, 1865.

Each proposal should be sealed and indorsed "Proposals for Volunteer Soldiers' Family Aid Fund Redemption Bonds," and enclosed in a second envelope, addressed to the Comptroller.

The right is reserved to reject any or all of the bids, if considered necessary to protect or promote the interests of the County.

MATTHEW T. BRENNAN, Comptroller.

CITY OF NEW YORK, DEPARTMENT OF FINANCE, }
 COMPTROLLER'S OFFICE, June 1, 1865. }

OFFICE
OF THE
Mercantile Mutual Insurance Co.,
NO. 35 WALL STREET.

New York, January 14, 1864.

The following statement of the affairs of the Company on the 31st December, 1863, is submitted in accordance with the provisions of the Charter :

Premiums not marked off December 31, 1863.....	\$212,118 80
Premiums on Policies issued from December 31, 1862, to December 31, 1863.....	1,141,884 79

Total Premiums **\$1,354,003 59**

Premiums marked off as earned December 31, 1863.....	63,741 64
Less Returns of Premium.....	85,970 60

Net Earned Premiums..... **\$1,077,771 01**

PAID DURING THE SAME PERIOD :

Marine and Inland Losses (including losses by risk of war and estimate of unadjusted losses).....	\$729,061 46
Re-Insurance, expenses, and bad debts, less returns on investments.....	139,902 19
Interest paid to Stockholders for July Dividend, together with interest on Stock, payable in January, 1864, and on outstanding Scrip, payable in February, 1864.....	76,502 60
	945,466 25
Earnings to be Divided	\$132,304 79

The Company had, on the 31st December, 1863, the following Assets:

United States, State, City, and other Securities.....	\$327,480 00
Loans on Stocks and other Securities.....	131,130 00
Bond and Mortgage.....	4,000 00
Cash on hand and in Bank, including Gold Coin at market value,	99,162 73
Cash in hands of Foreign Bankers.....	81,112 70
Bills Receivable and uncollected Premiums.....	625,927 12
Salvages and sundry Claims due the Company, and Scrip.....	156,089 28
Interest accrued and not collected.....	8,545 72

Total Assets..... **\$1,431,307 55**

The Board of Trustees have resolved to pay an interest of *Six per cent.* on the outstanding certificates of Profits, to the holders thereof, or their legal representatives, on and after Monday, the 8th of February next.

They have also declared a dividend of *Five per cent.* to the Stockholders payable in cash, on and after Monday, the 8th of February next.

The Trustees have also declared a dividend of *Twelve per cent.* on the net earned Premiums, entitled thereto, for the year ending 31st December, 1864, to be issued in Scrip on and after Monday, the 4th of April next.

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University of the city of New York,
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For particulars see Catalogue.

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THE
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No. XXI.

JUNE, 1865.

ART I.—1. *Celtic Researches on the Origin, Traditions, and Language of the Ancient Britons, with some Introductory Sketches of Primitive Society.* By EDWARD DAVIES, Curate of Olveston, Gloucestershire. London, 1804.

2. *Histoire des Gaulois.* Par AMÉDÉE THIERRY. Paris, 1845.

3. *The Celtic Druids.* By GODFREY HIGGINS, Esq., F. S. A., of Skellow Grange, near Doncaster, Yorkshire. London, 1827.

4. *La Religion des Gaulois.* Par D. MARTIN. Paris, 1727.

5. *Commentatio de Druidis.* J. G. FRIKIUS. Ulm, 1744.

6. *Ueber die Druiden der Kelten.* VON KARL BARTH. Irlangen, 1826.

7. *The Ecclesiastical Antiquities of the Cymry.* By J. WILLIAMS. London, 1844.

8. *Les Fées du Moyen Age.* Par ALFRED MAURY. Paris, 1842.

It is impossible to estimate the amount of valuable knowledge the world has lost by the unwillingness of certain sects of philosophers to commit the results of their researches to writing. And if this fact be admitted, it must follow that no argument can justify such a course. Few, if any, will dispute that those who avoid recording their discoveries, lest the public at large might have the benefit of them in common with themselves, are guilty of a most reprehensible selfishness; and yet it is to be feared that this has been the prevailing motive. That some have been influenced only by

modesty in avoiding publicity is well known ; others have brought valuable truths to the grave with them, rather than seem actuated by vanity or the love of praise. But each have seriously erred. Modesty is indeed a virtue, but when carried to excess it degenerates into a vice. Nor is vanity always culpable or pernicious in its influence ; on the contrary, it often, if not always, prompts us to deserve the good opinion which we wish our neighbors to entertain of us. In short, vanity, as well as modesty, has been implanted in us by nature ; and it is the abuse, not the use, of her gifts which is injurious. Man is a social being, and as such he should not conceal from his neighbor any knowledge which would benefit him without injuring himself. If he persistently does so, he violates a law of nature, for which he will have to pay the penalty, in one form or other sooner or later.

In no instance has this been more forcibly exemplified than in that of the sects of philosophers who have hoarded up their knowledge as jealously as the miser does his gold. Thus the Druids, who form the subject of our present paper, would have occupied a very different position in history from what they do to-day had they committed their speculations to writing. Because they have failed to do so they are spoken of alternately with contempt and horror by all who lack either the ability or the disposition to investigate their history. The number who do this must ever be small, because all the knowledge we possess as to what the Druids really were is scattered over a wide field, and has to be carefully searched for in every direction. The authors who tell us most of what is reliable about them are seldom read but by the learned. This affords the unscrupulous half-learned an opportunity of blackening their character more and more from one lustrum to another, so as to pander to the prejudices of those who regard the Druids as belonging to a different race from their own. Thus, not only does the memory of the Druids suffer at this day more than it did centuries ago, because they failed to vindicate themselves by placing their ideas on record, but the people whose priests and philosophers they were are as much as possible made partakers in their odium.

What our object is in this paper is to show how grossly the Druids have been misrepresented. In doing so, however, we have no intention of representing them as models worthy of imitation. Far be it from us to deny that they had grave faults, or to assert that their system of theology, however superior it

was in many respects to other ancient systems, was worthy of comparison with Christianity. But this is no reason why it should be misrepresented as it so generally is. There is a class of writers who sneer at every attempt made to assign to the Druids their proper place in history. If the person making the attempt belongs to any of the countries regarded as Celtic, ridicule is the weapon with which he is assailed. It is assumed that he takes up the subject only because he is a descendant of the race to which the Druids belonged, and he is treated accordingly. His best arguments are to be regarded as so many efforts to glorify himself, although he may exhibit equal zeal, industry, and learning in vindicating the ancient Brahmins or the Magi.

Even first-class journals, distinguished in general for their enlightened liberality and fairness, sometimes forget their character when the present subject comes under their consideration. We have an example of this in a volume of the *Edinburgh Review*,* in which an article on the Rev. Mr. Davies' *Celtic Researches* commences as follows: "It is amusing to observe with what perseverance and success the Celts are proceeding in their endeavors to deserve that character which has so liberally been bestowed upon them by the most contemptuous of their opponents. Every one must remember the emphatic epithets with which Pinkerton in particular has branded this ill-fated race. According to him a Celtic understanding is *sui generis*; it readily embraces and believes whatever is rejected or laughed at by the rest of mankind. If there be any truth in this description, we think there is great reason to presume that the Celtic writers of the present day, despairing, perhaps, of deriving the general population of Europe from their own illustrious stock, are anxious at least to satisfy the world that they themselves are the genuine descendants of those mighty tribes; and certainly, if strong mental resemblance and striking affinity of disposition may be admitted as presumptive evidence of direct and pure descent, they must be considered as having made good their pretensions." Such is the tone in which a work embodying the careful researches for years of a profound scholar are received by a journal which, for various reasons, ought to be the first to recognise their value. "The Milesian fables of the Irish," continues the same writer, "have long convinced the world more pow-

* Vol. iv., p. 386.

erfully and completely than the most learned and positive authorities that they are a legitimate branch of the Celts. The Welsh, though they have been much later in starting than the Irish, and are even yet less Celtic in their creed and character, appear to have lately recovered their generic and distinctive credulity in its utmost purity, and, of course, along with their credulity materials for authentic history as far back as their present dispositions would lead them to desire."

Further on the writer proceeds in the same spirit to prove how absurd and credulous it is to believe that the Druids possessed any knowledge worthy of notice. A critic, more than any other person, has no right to depend on mere assertions; if he differs from others, especially from those who have devoted much time and study to the subject under consideration, he is bound to give his reasons for doing so. Ridicule will answer his purpose only when the arguments, or the mode of treatment to which it is applied, are so obviously erroneous as to be at variance with common sense. What would be said, for example, of a presiding judge in a court of appeal who would dispose of the most elaborate arguments of counsel by a mere assertion or sneer? No judge qualified for his position ever does so. On the contrary, he reasons coolly and dispassionately on the subject, and sustains his views by quoting authorities. This imparts weight to his decision; if omitted, it has no weight. Still more emphatically is all this true of the position of the critic. Such sneers at Celtic writers as those just quoted might seem to possess some force could it not be shown that they have said nothing in favor of the Druids, or of the Celts in general, in which they are not fully sustained by writers who have no pretensions to a Celtic origin. But the truth is that neither Irish, Welsh, nor French have said more in praise of the Druids than German writers. This is true, for example, of Professor Barth, of Irlangen University.* If, then, Mr. Davies or Colonel Vallanc ought to be laughed at, so ought Professor Barth and several other learned Germans; nay, so ought Caesar, Pliny, Ammianus Marcellinus, Diodorus Siculus, Strabo, and Lucans, since all bear testimony to the superior learning and wisdom of the Druids.

Among the ancients the most reliable writer on the subject

* See his *Ueber die Druiden der Kelten*, passim.

is Cæsar. It cannot be pretended that he had any inducements to give the Druids more credit than they deserve ; if he can be said to have been actuated by any prejudice, it must have been against them, since their influence was the most formidable power he had to contend with in the subjugation of Gaul and Britain. Yet he admits not only that they possessed learning and scientific attainments of a high order, but that the Celtic people knew how to appreciate those advantages. "The Druids do not go to war," he says, "nor pay tribute the same as the rest ; they have exemption from military service, and a dispensation in all matters. Induced by such great advantages, many embrace this profession of their own accord, and many are sent to it by their parents and relations. They are said there to learn a great many verses ; accordingly some remain in the course of training twenty years." It need hardly be remarked that none could devote this long period to study without acquiring a considerable amount of knowledge. The illustrious captain shows that it was not for want of the means they avoided committing their ideas to writing ; he tells us that in almost all other matters, in their public and private transactions, they used Greek letters.* "That practice," he says, "they seem to me to have adopted for two reasons : because they neither desire their doctrines to be divulged among the mass of the people, nor those who learn to devote themselves the less to the efforts of memory, relying on writing ; *since it generally occurs to most men, that in their dependence on writing they relax their diligence in learning thoroughly, and their employment of the memory.*"† The author now proceeds to inform us that they were believers

* Neque fas esse existimant ea literis mandare, quum in reliquis fere rebus publicis, privatisque rationibus literis utuntur.—*De Bello Gallico*, L. vi. c. xiii.

† That the Druids did use writing, however, is fully proved ; although it was such as could be understood only by the initiated. The Ogam alphabets are undoubtedly Druidical. An inscription in one of these alphabets was found at the beginning of the present century in Ireland. It is known as the *Callam Inscription*, and plates of it are given in different works on Celtic antiquities, including the *Archæological Soc. Ant. Lond.* In commenting on this, Dr. Aiken remarks that fifteen lines are required to express the first five letters of this alphabet, and that the inscription may be translated in fifteen different ways. Nothing, therefore, can be more uncertain than its true meaning, and consequently nothing could have been better contrived for the purpose of concealing that meaning from the vulgar eye. Several other specimens of Ogam writing exist in different parts of Europe, especially in the British lands. One of the most remarkable and most perfect is that in the library of Trinity College, Dublin ; that which ranks next in importance and value is in the possession of the Duke of Chandos.

in the immortality of the soul, and that they devoted themselves to scientific pursuits. "They wish," he observes, "to inculcate this as one of their leading tenets, that souls do not become extinct, but pass after death from one body to another; and they think that men by this tenet are in a great degree excited to valor, the fear of death being disregarded. They likewise *discuss and impart to the youth many things respecting the stars and their motions, respecting the extent of the world and of our earth, respecting the nature of things; and respecting the power and the majesty of the immortal gods.*"*

Now, do not the studies here ascribed to the Druids constitute a system of philosophy as well as of theology? Cæsar found a different system prevailing among the Germans, and he speaks of it accordingly. "The Germans," he says, "differ much from these usages, for they have neither Druids to preside over sacred offices, nor do they pay great regard to sacrifices. They rank in the number of the gods those alone whom they behold and by whose instrumentality they are obviously benefited, namely, the sun, fire, and the moon; they have not heard of the other deities even by report."† He shows, upon the other hand, that there were many features in the mythology of the Gauls which were identical with those most prominent and most refined in the mythologies of Egypt, Greece, and Rome. This great disparity between the ancient Celts and Goths, as described by authentic historians, who had no interest in misrepresenting either race, is very distasteful to that class of writers who would fain trace every good quality as well as every valuable idea we possess to a Gothic source. It is these who would represent the Druids as savages, and all who would attempt to vindicate them as credulous and silly.

Of all the Roman historians, none is more impartial or more faithful in his narrative than Marcellinus. Gibbon takes leave of him with regret as "an accurate and faithful

* Les Druides formaient la classe supérieure et savante de l'ordre sacerdotal; ils s'adonnaient à l'étude des hautes sciences philosophiques, physiques et religieuses; ils étaient chargés de l'éducation publique et revêtus du pouvoir judiciaire.—M. Alfred Maury, *Cyclopédie Moderne*, art. Druidism.

† Maury, who has fully investigated the subject, entirely concurs in Cæsar's estimate of the German system. "Les Germains," he says, "peuple si voisin des Gaulois, et en relation fréquente avec eux, n'avaient, de l'aveu même de Cæsar, que ce fétichisme pour religion, et la théologie plus profonde des Druides leur était inconnue."—Art. *Druidism*.

guide, who has composed the history of his own times without indulging the prejudices and passions which usually affect the mind of a contemporary." And what does the historian thus spoken of tell us about the Druids? Does he sneer at them, or denounce them as savages? Let the historian himself answer, and let him also give us his estimate of the Bards and Eubages, nay, of the Celtic people in general, only premising that if a Welshman, an Irishman, or any one supposed to be Celtic himself, had spoken in similar terms, he would be laughed at as a credulous dupe by the class of writers alluded to. After speaking in general terms of the Celts and their influence on the countries of which they took possession, Marcellinus proceeds to inform us that, "throughout these provinces, the people gradually becoming civilized, the study of liberal accomplishments flourished, *having been first introduced by the Bards, the Eubages, and the Druids.* The Bards were accustomed to employ themselves in celebrating the brave achievements of their illustrious men in *epic verse*, accompanied with sweet airs on the lyre. The Eubages investigated the system and sublime secrets of nature, and sought to explain them to their followers.* Between these two came the Druids, *men of loftier genius*, bound in brotherhoods according to the precepts and example of Pythagoras; and *their minds were elevated by investigations into secret and sublime matters, and from the contempt which they entertain for human affairs they pronounced the soul immortal.*"†

We think few will deny that the really credulous and silly are those who represent men of this character as savages. All we learn from authentic history of the Celtic Bards alone would show, from their connection, as an order, with the Druids, that the latter must have been men who would be considered learned in any age or country.‡ It is not strange that those who ridicule the Druids also ridicule the Bards, and represent them either as myths or as ignorant ballad-mongers, like those who sing in the streets for the entertainment of the peasantry at the fairs throughout Europe. They

* Eubages scrutantes seria et sublimia nature pandere conabantur. *Inter hos Druidos ingentis celsiores, &c.*

† The Roman History of Ammianus Marcellinus, B. xv., c. ix.

‡ Those who have devoted most attention to the subject do not hesitate to believe that the Druids had regular academies: "Academia amplissima estimatur fuisse in sylva Carnotensi, eo loco ubi nunc urbs a Druidibus nuncupatur Gallicæ Dreux, et in Pagis sylvæ vicinis (ut Rovillardus) Druidarum domus dicuntur: et non procul Augustoduno (ubi imagines Druidarum de Montfaucon erutæ sunt) altera Academia in Monte Gallicæ Montedue.—Frikius, *Commentatio de Druidia*, p. 147.

Pliny calls the Druids the Gaulish Magi.—*Nat. Hist.*, lib. xvi., c. xlv., *sub finem*.

either forget that they were men like Ossian, or they deny that the latter had any other existence as a poet than that which has been bestowed upon him by Macpherson. In other words, whatever theory is unfavorable to the Celts, their Bards, or their Druids, is readily accepted as truth, while whatever has the opposite tendency is scoffed at as absurd and ridiculous. Diodorus informs us that the Bards, or sacred poets, of the Celts chanted on the national instrument (the harp) the exploits of their heroes, and stigmatized in their hymns the cowardly; that they accompanied their chiefs to battle, and that their person as well as their character was inviolable. Such was their influence that frequently during the civil wars in Gaul they caused the immediate cessation of bloodshed among the most furious of the combatants by simply calling on them to desist.* In speaking of the same order, M. Alfred Maury remarks that they were at once the military heralds, the legislators, and the poets of the Celts. Each prince or chief of a tribe had his own bard, who ranked with the first officers of his court. They were exempt both from taxes and military service, even when their country was in most imminent danger. When they accompanied their chiefs to battle, as already observed, for the purpose of celebrating their exploits, they were furnished with a body-guard to protect them from the enemy; and in all public assemblies and fêtes they occupied the post of honor next to their chiefs. Besides being splendidly entertained in the castle to which they were attached, they received valuable presents.†

None aware of these well-attested facts are disposed to doubt the genuineness of the best of the poems attributed by Macpherson to Ossian. History informs us also that much honor and influence as the bards possessed, they deserved both, even in their degenerate days, when they had no longer the same means of improving their minds and acquiring knowledge, which they formerly had, but were persecuted

* Diod. Sic., v. 31, p. 354.

† If Maury be objected to because a Frenchman and consequently Celtic, it can hardly be pretended that Gibbon was prejudiced in favor of the Celts or their priests. In speaking of the Bards he makes the following remarks:—"That singular order of men have *most deservedly* attracted the notice of all who have attempted to investigate the antiquities of the Celts, the Scandinavians, and the Germans. *Their genius and character, as well as the reverence paid to that important office, have been sufficiently illustrated.* But we cannot so easily express, or even conceive, the enthusiasm of arms and glory which they kindled in the breast of their audience."—*Decline and Fall of the Roman Empire*, vol. 1, p. 291, New York, 1860.

wherever they showed themselves. Even so late as the close of the thirteenth century their influence was felt by rulers disposed to oppress their subjects. Thus the historian relates with horror and indignation that when Edward I. was wearied with the proloaged independence of the Celtic tribes, he caused their Bards to be assembled and massacred—an atrocious and cruel act, which has been justly compared to that of Ægisthus of old, who, when, desiring to corrupt Clytemnestra, caused the minstrel placed near her by Agamemnon as a protector of her virtue to be put to death. One of the finest efforts of Gray, the poet, is the ode inspired by this massacre, and in which he introduces a bard, who, from the top of a rock beaten by the waves, devotes to destruction the crowned assassin, predicting for him all the misfortunes of his race, and terminates his imprecations by precipitating himself into the waves.*

Now be it remembered that the Bards were Druids, but belonged only to the second, or, as some think, to the third order of that learned and powerful body. Most historians concur in giving all credit for the noblest patriotism. "They were the most strenuous assertors of their country's liberty against the Romans," says Mr. Higgins, "constantly exciting their countrymen, after every defeat, to fresh insurrections. This was the true reason why they were, in a particular manner, sought after by the Romans and put to the sword whenever they could be taken. So determined were they, that neither by the Romans, Danes, nor Normans could they ever be conquered, either in Britain or Ireland; but as they could not successfully resist the overwhelming numbers and superior discipline of their enemies in the plain country, they retreated, with the highest-spirited and most intractable of their countrymen, into the mountains of Wales, Scotland, and Ireland, where they successfully defied the legions of the Roman and Saxon barbarians."†

*The following lines will give those who may not have read the poem an idea of the combined spirit of sympathy for the Bard, and indignation against the exterminator, in which it is written:

"On a rock whose haughty brow
Frowns o'er old Conway's foaming flood,
Rob'd in the sable garb of woe,
With hag and eyes, the poet stood;
(Loose his beard, and hoary hair,
Stream'd like a meteor to the troubled air)
And with a master's hand and prophet's fire
Struck the deep sorrows of his lyre.
Hark, how each giant oak, and desert cave,
Sighs to the torrent's awful voice beneath!
O'er thee, oh king, their hundred arms they wave,
Revenge on thee in hoarser murmurs breathe;
Vocal no more since Cambria's fatal day
To high-born Hoel's harp, or soft Llewellyn's lay." [Pindoric ode.
—The Bard; a

† The Celtic Druids, p. 275.

Those who wish to depreciate the Druids because they did not belong to "the Anglo-Saxon race," triumphally ask, Why did they not at least leave us some fine specimens of architecture, if they were the ingenious and cultivated people which their Celtic admirers represent them? Their architecture is, indeed, not distinguished for its beauty, but it is distinguished for its rude grandeur and sublimity. But is not this rudeness inconsistent with the character assigned to them? This by no means follows. It is more likely that a people who were unwilling to commit their discoveries either in the arts or sciences to writing had no ambition to erect fine edifices; especially when it is borne in mind that the groves were their favorite temples. Little doubt is now entertained, however, that Stonehenge in Wiltshire, England, is a Druidical work. "If I talk to you of a Doric, Ionic, or Corinthian temple," observes Mr. Higgins, "you will readily form such an idea of the building in your mind as to be surprised on seeing it, for each of these orders has its fixed proportions, and each its appropriate ornaments; but were I to describe to you a rude temple composed of four circles, one within the other, with upright stones twenty feet high, and others of an immense size placed across them like architraves, I fear my description would prove very unsatisfactory." Of a similar character is the temple of Abury. A full description of either would fill the space designed for our whole article. Fortunately nothing of the kind is necessary; the structures alluded to are so famous as curiosities that there are few, if any, of our readers who are not acquainted with their character.* That stones are rude and plain is no evidence that those who raised them were not acquainted with the science of architecture. We have abundant testimony that in ancient times it was deemed an impiety, if not a sacrilege, to use any tools on structures designed for the worship of God. Even the inspired historians testify to this fact. Thus, in the 27th chapter of Deuteronomy and 5th verse, the following command is given: "And there shalt thou build an altar unto the Lord thy God, an altar of stones; *thou shalt not lift up any iron tool upon them.*" In the following verse it is added, "Thou shalt build the altar of the Lord thy God of

*"We remark here," says a learned writer, "a very striking resemblance between the ancient places of devotion in Greece and the Druidical temple of the more northern countries. In short, the astonishing remains at Stonehenge present the best known, and perhaps the most stupendous examples ever erected of the open temple."—*Mimes. Hist. of Sculpture, &c.*, p. 225.

whole stones." The temples of the Druids were circular; and so were those of all the Eastern nations, including the Jews.

The most learned archaeologists of the present day are of opinion that the round towers found in all countries known to have been inhabited by the Celts, but chiefly in Ireland, are of Druidical origin. This view of the case is, indeed, nothing new; the same opinion was entertained centuries ago. Nay, the only reason why all archaeologists who investigated the subject did not give the credit of those curious structures to the Druids from the beginning, is that nearly all have crosses on them. From this fact it has been taken for granted that they were built by the early Christians; but the researches made in different countries during the last century have proved this to be an erroneous conclusion. It has been found that the cross has been used as a sacred symbol in all parts of the world from the earliest records. "Let not the piety of the Catholic Christian be offended," says the Rev. Mr. Maurice, "at the preceding assertion, that the cross was one of the most usual symbols *among the hieroglyphics of Egypt and India*. Equally honored in the Gentile and Christian world, this emblem of universal nature, of that world to whose four quarters its diverging radii pointed, decorated the hands of most of the sculptured images in the former country, and in the latter stamped its form upon the most majestic of the shrines of their deities.*

All Egyptologists that can be regarded as authorities concur in the opinion that it was a sacred emblem among the Egyptians. They remind us how Ibis was represented with human hands, holding the staff of Isis in one hand and a globe and cross in the other. The cross is found on most of the Egyptian obelisks. Nor was it by any means unknown either in the Greek or Roman mythology. In almost all the old monograms of Jupiter he is represented as bearing a cross with a horn; and the most common we have of Saturn is a cross and a ram's horn. There is now in the British Museum a medal of Ptolemy, King of Cyrene, the most conspicuous figure on which is a cross. It is a well-attested historical fact, that when one of the Christian emperors demolished the temple of Serapis at Alexandria, a monogram of Christ was discovered beneath the foundation. The Rev. Mr. Maurice and others inform us that the two principal pagodas of India, namely those of Benares and Mathura, are built in the form of a cross.†

* Indian Antiquities, vol. ii., p. 361.

† Ib.

In different parts of ancient Mexico the same sacred emblem is to be found; the most remarkable is that among many others in the ruins of a fine Tulteque city near Palenque. On the top of the cross is a likeness of Ceres, to which a devotee is making an offering of an infant.* Many other instances might be given, but these will suffice for our present purpose. What is more important, however, in connection with the subject under consideration, is the fact that the cross was also used by the Druids as a sacred emblem. If this can be proved, there will no longer be any good reason to deny that it was they who built the round towers. The learned Dr. Schedius, in his *De Moribus Germanorum*,† tells us that the Druids “seek studiously for an oak tree, large and handsome, growing up with two principal arms, in the form of a cross, beside the main stem, upright. If the two horizontal arms are not sufficiently adapted to the figure, they fasten a *cross-beam* to it. This tree they consecrate in this manner: Upon the right branch they cut in the bark, in fair characters, the word *Hesus*; upon the middle or upright stem the word *Taramis*; upon the left branch *Belenus*; over this, above the going off of the arms, they cut the name of God, *Thau*; under all, the same, repeated, *Thau*. This tree, so inscribed, they make their *kebla* in the grove cathedral, or summer church, towards which they direct their faces in the offices of religion, as to the ambre-stone or the cove in the temples of Abury.”

At first sight it might seem that the pious Christian should be unwilling to believe that the cross was so universally used as a sacred emblem long before the birth of Christ; but a little reflection shows that he should, on the contrary, rather regard it as an additional proof, if any were needed, of the truth of Christianity. It would be as absurd to feel dissatisfied on learning that the cross was thus venerated throughout the world—even in China—as it would be to be dissatisfied with the prophecies in the Old Testament, in which the coming and sacrifice of Christ are foretold. Still less reason have we for dissatisfaction, or rather still more reason have we to believe in the divine origin of Christianity, when we reflect that there is no symbol of importance which the Druids possessed in common with ourselves which they did not also possess in common with the Jews.

The latter, too, used the cross; and there is good reason

*Description of an Ancient City of Mexico, by Felix Cabrara. London, 1822.

† C. xxiv.

to believe that they also regarded the oak as a sacred tree. The learned Skelton tells us, in his comments on the eighth and ninth chapters of Ezekiel that, "In the hearing of the prophet the Lord, or Christ, commanded the man in linen to go through the midst of Jerusalem, and set a mark, namely the letter *Thau*, which answers to T in our alphabet, upon the foreheads of all that sighed and bewailed the abomination done in that city; and then commanded the other five to follow him and all the rest, *but not to come near those that were marked*. Thus stands the passage in Hebrew. But why the particular letter or mark is not set down in our translation, we do not know, unless because the Jews and Samaritans have changed the shape of the letter, which we know they did since the days of Ezekiel. Certain it is, however, that St. Jerome, at once the most learned and judicious of all the Eastern Fathers, has observed that the letter, in the true ancient Hebrew alphabet, was a cross +. It is to us equally certain that the mark which the servants of God were ordered to receive in their foreheads (Rev. vii.) was a +, so early given to every Christian at admittance into the Church, pursuant to our Saviour's command. How it came to pass that the Egyptians, Arabians, and Indians, before Christ came among us, and the inhabitants of the extreme northern part of the world, ere they had so much as heard of him, paid a remarkable veneration to the sign of the cross, is to me unknown; *but the fact itself is known*. In some places this was given to men accused of crime, but acquitted; and in Egypt it stood for the signification of eternal life."*

Now, as to the veneration of the ancient Hebrews, as well as the Druids, for the oak, nothing is more clearly proved from Scripture. Thus, we read that Jacob hides the teraphim, the idols of his wife, "under the oak by Shechem," his object being, no doubt, to remove her sin by depositing them in a sacred place. We read that Saul and his sons were interred "under the oak in Jabesh," and that Deborah, Rebecca's foster-mother, was buried with pious care "beneath the stones of Bethel, under an oak," and the name of it was called "The Oak of Weeping." In Joshua we read that the inspired successor of Moses "took a great stone and set it up there, *under an oak*, which was by the sanctuary of the Lord."† We learn from Genesis‡ that Abraham planted a grove

* Appeal to Common Sense, p. 45.

† C. xxiv. v. 26.

‡ xxi., 33.

at Beersheba, where he invoked the Everlasting God, in the name of Jehovah. We are subsequently informed* that Isaac invoked the name of Jehovah in this grove. If it be true that in time the Druidical worship degenerated into idolatry, it is equally true of the Hebrew worship; for we find Ezekiel, Hosea, and Isaiah warmly expostulating with their apostate countrymen for "worshipping idols under every thick oak." But the worst charge against the Druids is that they indulged in human sacrifices. The testimony of Cæsar on this point is unequivocal. He tells us that "those who are troubled with unusually severe diseases, and those who are engaged in battles and dangers, either sacrifice men as victims, or vow that they will sacrifice them, and employ the Druids as the performers of those sacrifices; because they think that unless the life of a man be offered for the life of a man, the mind of the immortal gods cannot be rendered propitious, and they have sacrifices of that kind ordained for national purposes. Others have figures of vast size, the limbs of which, formed of osiers, they fill with living men, which being set on fire, the men perish enveloped in flames. They consider that the oblation of such as have been taken in theft, or in robbery, or any other offence, is more acceptable to the immortal gods; but when a supply of that class is wanting they have recourse to the oblation of even the innocent."

There is good reason to believe that Cæsar, or any of the Roman writers who have made the same charge, have not done justice to the Druids in this respect. Eminent investigators, belonging to different nations, utterly deny the accusation, and maintain that it was first made in order to palliate, if it could not justify, the atrocious cruelties practised on the Druids by the Romans on account of their persistent and formidable resistance to the invaders of their country.†

All the authentic information we have relative to the Druids is utterly inconsistent with the savage cruelty thus attributed to them by their enemies. Most writers who have devoted any attention to their history give them credit for an excellent system of morality. Diogenes Laertes in-

* Genesis, xxvi., 25.

† "Under the specious pretext," says Gibbon, "of abolishing human sacrifices the emperors Tiberius and Claudius suppressed the dangerous power of the Druids."—*Decline and Fall of the Roman Empire*, vol. 1, p. 38. See also Seuton. in Claud., and Pliny Hist. Nat. xxx.

forms us that their leading maxims were, *To honor the gods, To do evil to no one, and To exhibit courage in danger.** Those who believe in the metempsychosis and the immortality of the soul, as all agree the Druids did,† are not likely to sacrifice the lower animals, not to mention their fellow-creatures. It is well known that the Hindoos, who entertain the same faith, are opposed to the killing of any animal whatever when it can be avoided. There is good reason to believe that the dogma of the transmigration of souls had its origin in an effort to prevent needless cruelty, even to the humblest of the lower animals. Many think this was the chief object of Pythagoras. At all events, the best modern authorities acquit the Druids of the odious charge. The learned Dr. Smith is of opinion that they never sacrificed any animals. He says that in the Gaelic language, customs, or traditions, which he has fully investigated, there is not a hint allusive to the sacrifice of any living being. "This silence," he remarks, "with regard to these is the more remarkable, as not only the distant allusions, but even the practice of some of their other sacrifices, have still some existence in several parts of North Britain. These consist of a libation of flour with eggs, and some few herbs and simples."‡ To this he adds the remark that the Gaelic name for sacrifice confirms his opinion. *Tob oirt*, from *iob* or *uile*, a raw cake or lump of dough, and *thcirt*, to offer, the *th* quiescent; but when they did offer a living sacrifice, if ever they did, it consisted of some noxious animal, as the wild *boar*.§

Indeed, this is the opinion of all modern investigators, save those who have an antipathy to all orders of priesthood. Mr. Higgins, for example, pronounces the Druids guilty, but he would have no priests innocent, as may be seen from the following remark: "If it be thought right to retain a priesthood in a government like ours (the British), where the good of the governed is the first object, it can never be kept within its just bounds *with too much severity*, nor its petty but increasing exertions to aggrandise the order be too vigorously repressed. For my own part, I am inclined to the opinion of the Society of Friends, that orders of priesthood have been

* See *Ecclesiastical Antiquities of the Cymri*, by Rev. J. Williams, p. 40.

† Even Caesar bears unequivocal testimony to their belief in that dogma: "In primis," he says, "hoc volunt persuadere, non interire animas, sed ab aliis post mortem transire ad alios putant."—*De B. G. L.* vi.

‡ Smith's History of the Druids, ch. ii. p. 36.

§ See Strabo, lib. iv.; also Macrobius, *Saturnalia*, lib. vi., ch. ix.

more prejudicial than useful to the religion of Jesus, &c.* One who speaks of the Christian ministers of all sects in these terms can hardly be expected to acquit the Druids, since they also were priests. The testimony of one entertaining such an opinion would not be received in a court of justice against priests; even a juryman must be without prejudice in order to agree to a fair verdict; if he admits that he is prejudiced, the accused has a right to reject him.

As we, however, have no object in the discussion but to establish the truth—as we want to conceal nothing that has been alleged on any plausible grounds against the Druids—we will give the views of those who have taken the most pains to convict them, only premising that they, too, are opposed to all priests. This is true, for example, of Dr. Borlase, whose views of them are not unlike those of Lucretius, though they are not expressed so openly. The following account of the Druidical sacrifices should, therefore, be received with a certain degree of allowance for that fact: “Their victims were of several kinds. Sometimes beasts; as at the gathering of the mistletoe, two white bulls;† but especially beasts taken from their enemies in war; however, their more solemn sacrifices consisted of human victims, and it cannot be dissembled that the Druids were extremely lavish of human blood. Not only criminals, captives, and strangers were slain at their sacrifices, but their very disciples were put to death without mercy if they were wilfully tardy in coming to their assemblies. No people, however, could, I think, have wrought themselves up to such a total contempt of human life and the body of man, who had not, at the same time, the most elevated notions of the soul, and the most certain persuasion of futurity; but this, instead of being their excuse, will only show us how the greatest truths may be made the occasion of the most horrid sins, where proper notions of the Deity do not obtain, and where truth, and reason, and philosophy are permitted to be built upon by the father of error. The Druids held several opinions which contributed to confirm them in this dreadful custom. For the redemption of the life of man, they held that nothing but the life of man could be accepted by the gods; and the consequence of this was that those who implored safety from the dangers of war, or the most desperate distempers, either immediately sacrificed some

* *The Celtic Druids*, p. 202.

† Pliny xiv. 144.

human creature, or made a vow to do so soon after. Their human sacrifices generally consisted of such criminals as were convicted of theft, or any capital crime; and some of these have been sacrificed after an imprisonment of five years; but when such malefactors were not at hand, the innocent supplied their place. They held that man was the most* precious, and therefore the most grateful victim which they could offer to their gods; and the more dear and beloved was the person, the more acceptable they thought the offering of him would be accounted. Hence, not only beautiful captives and strangerst, but princes, and the first-born of their own children, were, upon great and interesting occasions, offered upon their altars. Nature, it seems, was silent, and did not say, with the prophet Micah,† “Shall I give my first-born for my transgression, the fruit of my body for the sin of my soul?” In order to satisfy the scrupulous of the innocence of such barbarous sacrifices, and to reconcile the devoted victim to his fate, the Druids held that the souls of those who served as victims to their gods in this life were deified, or at least translated into heaven to be happy there; and the remains of those who died in sacrifice were accounted most holy, and honored before any other dead bodies.§ Variety of deaths they had for those miserable victims, as if they had been afraid that they should fall into a loathing and dislike of such sacrifices if they confined themselves to one particular manner of despatching them. Some they shot to death with arrows; others they crucified in their temples; some were impaled in honor to their gods, and then, with many others, who had suffered in a different manner, were offered up as a burnt sacrifice. Others were bled to death, and their blood, being received in basins, served to sprinkle their altars. Some were stabbed to the heart, that by the direction in which (after the fatal stroke) the body fell, either to the right or left, forward or backward, by the convulsion of the limbs, and by the flow of blood, the Druids (such erudition there is in butchery!) might foretell what was to come. “One Druid sacrifice was still more monstrous. They made a huge image of straw; the limbs of it were joined together, and shaped by wicker-work: this sheath, or case, they filled with human victims; and Strabo adds, ‘with wood for fuel and several kinds of wild beasts,’ imagining, perhaps,

* Diod. Sic.

† Horace, lib. iii., ode iv.

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‡ Ch. vi., v. 7.

§ Rel. des Gaulois, vol. ii., p. 226.

that by a variety of expiring groans and howlings they might terrify their gods into a compliance with their solicitations; to this image they set fire, consuming that and the enclosed at one holocaust. In what shape this image of straw was made Cæsar does not say, but probably it was in that of a bull; for they used to sacrifice bulls,* and carried to war with them the image of a bull; and the bull is one of the largest and most capacious of the brute kind, and therefore the fittest for such a dreadful office. Whilst they were performing these horrid rites, the drums and trumpets sounded without intermission, that the cries of the miserable victims might not be heard or distinguished by their friends, it being accounted very ominous if the lamentations of either children or parents were distinctly to be heard whilst the victim was burning. The victim being offered, they most solemnly prayed to the gods with uplifted hands and great zeal; and when the entrails had been properly examined by the Diviners, Pliny thinks that the Druids ate part of the human victim; what remained was consumed by the last fire upon the altar; intemperance in drinking generally closed the sacrificing; and the altar was always consecrated afresh by strewing oak-leaves on it before any sacrifice could be offered upon it again."†

We have already remarked how inconsistent all this is with the general character of the Druids. All that relates to them besides, either in history or tradition, has a very different tendency. The best authorities give the Druids credit for those harmless, and often beautiful, fairy tales found amongst the traditions of all Celtic nations.‡ In not one of these tales that we have ever heard is there anything bloody or cruel, except that the fairies are sometimes represented as inflicting punishment in the end on those mortals who made love to them and gained their affections. And it is easy to understand that the object of this is to exercise a salutary restraint on the credulous and superstitious.

In Ireland especially, the fairies—believed to be remnants of the Druidic system—are distinguished for their humane and friendly offices. This is true, for example, of the *banshee*, who is said to cry in the most piteous and heart-rending man-

* Plin., v. xiv. 44.

† Antiquities of Cornwall, pp. 127-9.

‡ "Mais ce sont les *sithich* des traditions Welches," says Alfred Maury, "qui rappellent d'avantage les druids, les druidesses, et le vieux culte gaulois. Leur nom qui signifie *paci facteurs*, semble un titre emprunté à ces prêtres. Leurs femmes s'appellent *ban-druidh*, *ban-shieaiche*, femmes druides, femmes savantes, etc."

ner at the death of any member of particular families; no fact is more firmly believed by the peasantry in all parts of the country than this. The worst conduct attributed to the fairies is that they like to take good and handsome human beings to themselves, especially infants and young girls, and leave some of their own kind in their stead. As for bloodshed, there is no evidence of their taking any delight in it; on the contrary, the universal tradition is that it is a poison to them, but that they like milk, flour, barley-meal, eggs, &c., &c.

But if we assume the worst, and admit that there was a time when the Druids really did sacrifice human victims, is it anything worse for them to have done so than for the Jews, the Greeks, the Romans, the Carthaginians, and the Etruscans? These are admitted to be the greatest nations of the earth. If they were not savages because they sacrificed human beings, why were the Druids? In other words, if the Celts were a barbarous and inferior people because their priests immolated human victims, were not the Greeks, Romans, &c., equally barbarous and inferior, since it is indisputable that they did the same? Nothing is more plainly recorded in the Scriptures than that the Jews sacrificed human victims; although it seems evident that Moses did all he could to discourage the practice. The sacrifice of the daughter of Jephthah is familiar to all. It is related as follows by the sacred historian: "And Jephthah vowed a vow unto the LORD, and said, If thou shalt without fail deliver the children of Ammon into mine hands, then it shall be, that whatsoever cometh forth of the doors of my house to meet me, when I return in peace from the children of Ammon, shall surely be the LORD's, and I will offer it up for a burnt-offering." "And it came to pass at the end of two months, that she returned unto her father, who *did with her according to his vow which he had vowed.*"* We also read in Exodus,† "Thou shalt not delay to offer the first of thy ripe fruits, and of thy liquors: *the first-born of thy sons* shalt thou give unto me." When Sodom was devoted to destruction by the Lord, Abraham did his best to save it; but when called upon to sacrifice his own son Isaac, he seems to have made no objection, which would seem to imply that he regarded such a sacrifice as at least not uncommon.

There is but too much evidence that even the Jews of

* Judges xi., 30-31, 39.

† Exodus xxii., 29.

modern times have always believed in the efficacy of human sacrifices as a means of conciliating the divine favor. An instance or two of what they have done in Christian times will sufficiently explain this. Thus, we read that at a solemnization of the Passover at Paris in 1080 A. D., they sacrificed a youth, the son of a rich merchant, for which the criminals were executed, and all Jews were banished from France. Nine years after, on the coronation day of Richard I., a large number of them were massacred in the city of London for a similar crime. In 1235, they attempted to crucify a child at Norwich, England; in this instance it was deemed most advisable to make them pay the penalty in money; and accordingly the offenders were fined 20,000 marks. This did not restrain them, however, for they immolated a child (on the cross) in Lincoln in 1255, and at Northampton in 1282. For the former eighteen were hanged, and for the latter fifty were drawn at horses' tails and hanged.

We have no disposition to speak harshly of the Jews, or any other sect; all we want is to vindicate the truth of history. When Israelites tell us that there is no Christian country, with the exception of America, in which they have not been cruelly oppressed, and that they have been tortured in every conceivable manner on account of their religion, it is but just to remember that it is not because they were Jews, or because they believed in the Old Testament, but because they would persist in human sacrifices, and in cheating their Christian neighbors. Now, how deeply rooted must be the faith which will prompt those who entertain it to suffer the teeth to be pulled out of their heads, to be quartered and hanged, or be banished forever from their homes, rather than abandon it! If the ancient Celts were taught the same doctrine by their priests, why did they discard it so easily? Is it characteristic of them to do so? What they were taught, *i.e.* the harmless belief in fairies, *banshees*, &c., is still retained to a considerable extent by their descendants among the Irish and Scottish peasantry.

All writers of any note on the subject of mythology concur in the opinion that it was customary among the Greeks, Romans, and Carthaginians to offer human sacrifices to Saturn. From this it is inferred by some that he was identical with Moloch, the Phœnician deity, to whom the apostate Jews sacrificed their offspring. He is generally represented by the Greeks as a "decrepit old man, with a long beard and hoary head; his shoulders are bowed like an arch,

his jaws hollow, his cheeks sunk; his nose is flat, his forehead full of furrows, and his chin turned up; his right hand holds a rusty scythe, and his *left a child, which he is about to devour.*" Every intelligent reader is familiar with the sacrifice of Iphigenia.* Nor need we go so far back in Grecian history as the Homeric times to find instances of human sacrifice. When Athens was at the meridian of her glory as the intellectual capital of the world, some of her greatest men are said to have immolated their fellow-creatures. Plutarch, who never intentionally misrepresents anything, but is justly regarded as the most reliable of all the Greek historians, informs us that Themistocles sacrificed several of the Persian captives to the gods.†

The Romans were not as superstitious as the Greeks, and therefore did not indulge so much in human sacrifices; but that they did immolate human beings, on important occasions, is beyond doubt. If we had no historical testimony of the fact, the bas-reliefs still extant would abundantly prove it.‡ We see in these a large variety of instruments and vessels which were used exclusively in sacrifices; such as the knife, with which the victim was stabbed; the broad dishes, or bowls (*patere*), which held the blood; the vessels to hold the entrails, &c. Various sacrificial apparatus are exhibited on the sculptures found in Pompeii. One figure represents the sacred fillet (*ritta*), sometimes suspended from the neck

* One of the finest passages in the *Agamemnon* of *Æschylus* is that in which he describes the victim preparing for the sacrifice, and which Blackie has translated as follows:

"So now in act to speak the virgin stands;
But when, the third libation past,
She heard her father's dread commands
Enjoining silence, she obeyed;
And for her country's good,
With patient, meek, submissive mind,
To her hard fate resigned,
Poured out the rich stream of her blood."

† See Themistocles in *Lives*.

‡ We have abundance in every form; but for our present purpose it will be sufficient to refer to the pages of *Livy*, who is the least likely of all the Roman authors to misrepresent his countrymen on so important a subject. He tells us that because two of the Vestal virgins were guilty of unvestal-like conduct, one was buried alive and the other forced to commit suicide; the partners in their guilt were disposed of in a manner equally summary. But lest all this might not be sufficient, the Decemviri caused the sacred books to be examined; and the result was that a male and a female Gaul and a male and a female Greek—persons who had nothing whatever to do with the sins of the vestals—were buried alive, as an atonement to the offended gods.—"Interim ex fatibus libris sacrificia aliquot extraordinaria facta; inter quæ Gallus et Galla, Græcus et Græca, in foro boario sub terra ceteri demissi sunt in locum saxo conceptum, jam ante hostiis humanis minime Romano sacro, imbutum."—*Tit. Liv.*, lib. xxii., cap. 57.

of the victim; another a pitcher for holding the blood, &c. One of the most remarkable as well as most unequivocal is a sculpture which represents a magistrate in his robe engaged in a sacrifice; he holds in his hand a *patra*; the victim is led forward by the *papa* or *cultrarius*, who is naked to his waist, with a wreath on his head; behind the magistrate is a boy holding a vase or pitcher, and an older servant holding a platter; by his side is a musician playing the flute, followed by lictors with their *fasces*; in the background appear the pillars of the temple decorated with garlands.*

But we need not go among either the Jews or pagans in search of persons who have been guilty of human sacrifices. It needs but little research to find such even in Christian times. Mr. King has pointed out an instance of a human sacrifice by Einar, Thane of Caithness, of Haldanus, Prince of Norway, so late as the tenth century.† But who would attribute the odium of this to Christianity? There is nothing to which the religion of Christ is more opposed; it was to obviate the necessity of any such sacrifices forever after, that he offered himself up once for all. Yet a historian, having an antipathy to priests, writing centuries hence, may accuse Christianity of having immolated human victims. Have not writers like Voltaire and D'Holback imputed worse to it, if possible, already? Are not Christian fraternities engaged in teaching at the present day, and who lead a blameless, laborious and useful life, often spoken of as if they were the enemies, rather than what they really are, the friends and benefactors of mankind? Nay, what accusations have not been made in this enlightened age against the gentlest, purest, and most refined of women—veritable ministering angels—who devote themselves in a similar manner to the noble work of doing good? Then, if the Christian religion can be maligned in our own time, why cannot we understand that Druidism has been maligned in the past, when its maligners could not be so easily detected as those of the present day?

If it be easy, as we have seen, to find among those recognised as the greatest races the practice of the worst crimes attributed to the Druids, it is, on the contrary, very difficult to find any who proved themselves so superior, intellectually, politically, and morally, to their contemporaries? We have already seen the credit given them by their enemies the

* See Montfaucon, vol. ii., p. 150.

† Mun. Ant., p. 231.

Romans, in these respects. Even Cæsar admits that they gave instructions in the most sublime of the sciences. Writers of eminence, who have no pretensions to Celtic descent, are of opinion that they must have been acquainted with the telescope, if not with the mariner's compass. Thus, for example, Diodorus Siculus tells us that, in an island west of the Celtæ, the Druids brought the sun and moon near them.* In giving his opinion in favor of this assumption, Dr. Smith very justly remarks that, "Everything within the circle of *Drui*, *acha*, or magic, or, to speak more properly, within the compass of natural experimental philosophy, was the study of the Druids; and the honor of every wonder that lay within that verge was always allowed them."†

The inhabitants of the Isle of Man give the credit of their ancient laws, which are confessedly among the best that any people can boast of, to the Druids. The *Brehon* laws of Ireland are of a similar character, and are also ascribed to the Druids. "They had a curious mode of trial," says Mr. Higgins, "by the oaths of a certain number of men, who were taught together to swear that they believed the man charged with an offence to be innocent; but it appears that before they took their oaths, all the witnesses whom the prisoner could bring were examined by him, and the judge was bound by their decision. I call this trial, not by adjuration, as it has been inadvertently called, but *trial by jury*; and good trial too. Thus we trace to them both the practice of trial by jury and an unwritten law."‡ We are informed that among the ancient Irish this law was called *Tara*, which is believed to be identical with the *Tora* of the Hebrews. In commenting on this, Col. Vallance—than whom no one has investigated the subject more fully or was better qualified by learning and natural ability to do so—makes the following remarks: "It will appear, by the following laws, that in cases of disputed property the ancient Irish did also try by twelve men, whose sentence must be unanimous. *Coisde* is an original word implying a trial by law; in many parts of Ireland it is still used in that sense, as *Cuirfidhe mthu*

* Several writers attribute to the Druids the use of gunpowder or some analogous substance. "Among the arcana of nature which our Druids were acquainted with," says Temple, "there are many presumptive, if not positive proofs for placing the art of making gunpowder, or artificial thunder and lightning: though like other mysteries they kept the invention of it a secret."—*Temple's Miscell., on Ancient and Modern History*, lib. vi.

† Smith's *History of the Druids*, p. 75 *et seq.* ‡ The Celtic Druids, p. 286.

ar coisde, I will bring you to trial; Slavonice, *Kuchja*, the Hall of Justice; *Persic eucherî*, a code of laws."^{*}

We might easily extend the multifarious evidence we have adduced from the most reliable sources in vindication of the Druids; but we think we have given sufficient to convince any intelligent mind that they deserve a very different treatment at the hands of posterity from that which it is the habit to give them at the present day, both in this country and in England. Those who have taken the trouble to accompany us in our researches, have found, if they were not previously aware of the fact, that it is the most learned and most distinguished authors who give most credit to the Druids, and least countenance to the charges made against them. Indeed, the only testimony against them worthy of the slightest consideration, is that of Cæsar; all the others who condemn them admit themselves that they do so mainly, if not exclusively, on his statements. We cheerfully admit that in general he is excellent authority; there is no ancient work in which we have more faith in the main than we have in his Commentaries. Its tone throughout is candid and fair; more so than that of any similar work ever written. A general giving an account of his own conquests has a thousand inducements to misrepresent important facts; in no circumstances can a writer be placed in which stronger temptations are presented to his vanity. But if Cæsar has not been proof against all, certain it is that he has resisted the large majority. He everywhere gives the Gauls credit, not only for great bravery, but, in general, for the noblest qualities which can characterize a race. He frequently speaks of their generosity, their fidelity, their hospitality, and their strong attachment to all bound to them by natural ties; he is far more willing to do them justice in these respects than Livy or Tacitus, although the latter too, especially Livy, yields them the palm of superiority as soldiers.

But Cæsar, above all others, had a powerful motive to render the Druids odious to posterity. By no other means could he expect to justify the cruel treatment they received at his hands, as well as at those of every other Roman general who attempted to subdue the Gauls. It was so universally known that no sect were more learned, or taught a more sublime philosophy, that even those most disposed to misrepresent them did not venture to deny the fact; even

^{*} Collectæana de Rebus Hibernicis, vol. iii, p. 25.

Lucan gave them credit for soaring higher than any of their contemporaries.*

Those who have carefully read Cæsar have not failed to observe that in ascribing good qualities to the Gauls he always gives satisfactory reasons for doing so; he presents us the facts, and enables us to draw our conclusions from them as he has himself. But it is otherwise in the revolting picture which he gives us of the alleged Druidical habit of sacrificing human victims. His only prefatory remark to this is that the Gauls are much given to religion.†

It is generally admitted that the Romans were not a religious people, at least that they were not superstitious; but this did not prevent them from immolating human victims, as we see from the statements of their most patriotic historians. If Livy speaks of an important event, he tells us where it occurred, and states the circumstances that led to it; he does so when he speaks of human sacrifices, as in the instance in which two Gauls and two Greeks were immolated.‡

Tacitus is equally satisfactory in similar circumstances; nor is any one more so than Cæsar in every other instance. Thus, for example, when he speaks of the intelligence of the Gauls, he mentions, among other facts, that he found tablets in the camp of the Helvetii, written in Greek letters (*litteris Græcis confectæ*), which contained a particular census of that tribe. But neither he nor any other writer ventures to mention any occasion on which the Druids immolated human beings; much less do they pretend to give names of any person whom they sacrificed. Nothing is more easy than to make charges, especially if they are made by a great con-

* In his principal work he speaks of them as follows, while he is bitterly opposed to all priesthoods:

"To these, and these of all mankind alone,
The gods are sure revealed, or sure unknown.
If dying mortal's doom they sing aright,
No ghosts descend to hell in dreadful night;
No parting souls to grisly Pluto go,
Nor seek the dreary, silent shades below,
But forth they fly in immortal their kind,
And other bodies in new worlds they find."—Rousseau's *Lucan*.

† *Natio omnium Gallorum admodum dedita religionibus.*—*De B. G.*, lib. vi., c. xvi.

‡ Lib. xxii, 57.

queror against those whom he has conquered at a time when no one dare to contradict him ; nor is anything more natural than that he should make such charges against those who made longest and most formidable resistance to his power. But who would accept his statements as conclusive, even though he were a Cæsar ? There ought at least to be two credible witnesses to convict a large body of men, admitted on all hands to be learned and philosophical, of a capital offence, and these two, however great their names, should be required to prove how they obtained their knowledge. No court of justice worthy of the name would convict on mere hearsay. But it seems it is quite sufficient to convict the Druids. This is all wrong. If there be any of our readers who, however, still think otherwise, we earnestly advise them to investigate the subject, for we feel satisfied that if they do they will alter their minds. But we really do not believe there are. We have not taken these pains to convince them, but in order to induce them to convince others. Every intelligent person exercises an influence on those around him, and need we say that it should always be exercised in favor of truth and justice ? The most uncompromising of their enemies admit that the Druids did good in their time—that as instructors of youth, who occupied nearly a quarter of a century in qualifying themselves for that high office, they contributed largely to the development of the human mind. Those who knew them best appreciated their efforts and regarded them as benefactors ; if they were so to them, they are to us ; for certain it is that all they added to the world's stock of knowledge has not been lost, whether we believe that they discovered any particular science or not. Then if we are not grateful, let us be just ; if we are disposed to say nothing good of those who taught thousands of years ago that knowledge is power, that the soul is immortal, that the best of us have faults, and that we ought, therefore, be indulgent to the faults of our neighbors, we should at least cease to war on their ashes.

- ART. II.—1. *History of the Thirty Years' War*. Translated from the German of FREDERICK SCHILLER. By the Rev. A. J. W. MORRISON, M. A. London, 1846.
2. *The Life of Wallenstein, Duke of Friedland*. By Lieut. Col. J. MITCHELL, II. P. London, 1840.
3. *The Piccolomini: A Drama in two parts*. Translated from the German of FREDERICK SCHILLER. By S. T. COLERIDGE, (Coleridge's Dramatic Works.)

OCCASIONALLY a dead shrub in a verdant hedge will at intervals surprise the eye: so, in traversing the winding course of history in rare darkling corners, sometimes we encounter a brief period, an event, a man, entitled to a notoriety as yet unattained. A striking specimen of this is the subject of this article—Wallenstein. He played a conspicuous part in an important and exceedingly active age, and the stage was in the very heart of Europe. He was the well-matched opponent of the mighty Gustavus Adolphus; he was the master of his master, and that master was the emperor of all the Austrias, the descendant of the Caesars; he was the sword-arm of the Catholics through fifteen years of their long struggle with the Reformers, when, in the still uncertain conflict, each party was contending equally for the privilege of its own existence, and for the extirpation of its foemen. Moreover, his greatness was due to the qualities of his own mind and his own character, and not at all to the accident of birth or other fortuitous events, thrusting him involuntarily into a prominent position. He made his own place, almost, even his own surroundings. His career is not surpassed in the brilliancy and romance of its events by the life of any man in history. The simplest narrative of his various and moving fortunes must be melodramatic. Yet he is generally but a dim name of greatness and of wonder; a magnificent shadow, as indistinct as he is grand; an historical ghost, an unreal reality like the wonderful spirit of the Brocken. Coleridge's beautiful translation—for beautiful it is, and grand, despite the carping, linguistic criticisms of the Westminster Review—of Schiller's noble dramas alone makes the name of Wallenstein at all familiar to us; and it is strange how many cultivated men have never read even these. Yet they are monuments of a superb genius, and, next to the plays of Shakespeare, there are no historical tragedies in our liter-

ature finer than these worthy renderings of a powerful original. Schiller ranks among the first of dramatists; nor could any one excel as a translator the gifted Coleridge, beneath whose hand the primal beauties take rather an extra glory than that diminution of lustre which usually attends the transformation. Usually we look through this medium as through a glass, darkly, upon the native radiance; but in this case the beams seem to have gathered additional sparkles in their crystalline passage; and the usually just prejudice which enshrouds translations of works depending for their charms on the subtle fascination of poetic genius, must here be laid aside.

The "Thirty Years' War" has not met with equal fortune, though Mr. Morrison has done very fairly by it. The history of a war of thirty years must suffer by compression into the short space of one moderate-sized volume. And when to this we add the formidable barriers presented by the uncouth names, the multitudinous parties, and the tessellated politics of Germany, we find ample reasons for limited circulation. Yet the work is of high merit; it was the fruit of much toil and study; it is very beautifully written, and bears in its workmanship the undisguisable impress of noble powers.

Finally, Mitchell's *Life of Wallenstein* is not executed with much ability, and is not peculiarly attractive to the general reader. The military hero does not wield the pen with graceful dexterity; probably the sabre is more familiar to his grasp; and his moral episodes and bursts of poetic feeling do not much improve matters. His book is neither very thorough nor very exhaustive, but has many of the faults of a sketch; among others, it quite fails to acquire the tone of authority, which is the natural accompaniment of a sure and sound acquaintance with the subject. The investigations seem to have been conducted with the facility of the dilettante, rather than with the laborious gaspings of the trustworthy historian; still the life has the merit of being the narrative of a military career of the seventeenth century, written by an educated military man of the nineteenth century, and we thus obtain some useful suggestions which naturally failed to occur to Schiller, whose youthful military experience probably made him neither a tactician nor a strategist. Moreover, Mr. Mitchell abhors Catholicism and admires Wallenstein; and thus, like a needle between two magnets, he cannot be wholly wrong.

Albrecht Eusebius Wenzeslaus von Waldstein, whose last name the unsettled orthography of the times suffered to become transmuted into Wallenstein, was born in Bohemia, September 15, 1583. His blood was ancient and noble, but in a prolific family; he was the youngest son of a youngest son, and in this unenviable position his prospects of inheritance were meagre. It is an odd fact that both the parents of this great champion of Catholicism were Protestants; but he was left an orphan at the tender and impressible age of twelve, and immediately falling into the hands of the Jesuits, his conversion ensued as a matter of course. Tales are told of a gloomy and aspiring childhood, prophetic of the future conqueror; tales of no note, which we only mention to introduce one of the most successful flights of the moralizing lieutenant-colonel. This gentleman apologizes for treating these narratives with a very reasonable disdain; for, he says: "Rivers formed by numerous springs and rills, none of which can singly indicate the nature and magnitude of the future stream, are, in this respect, justly emblematical, perhaps, of human character. Many that promise fairly at the outset collect whatever is rank and gross in the swamps and poisoned grounds which they traverse, and then infect, as they roll along, whole districts with noxious exhalations; while others, rising from dark and turbid sources, are purified in their progress, flow in fertilizing beauty through the lands, and carry with them only the golden portion of the soil over which they hold their clear and sparkling course" (p. 46). How odd, how strikingly original is this simile! And it is an excellent specimen of the valuable moral reflections, clad in all the flowery charms of a literary warrior's rhetoric, with which this life is most liberally besprinkled for the instruction and entertainment of the reader. "When perfectly unbiassed, women seldom err in their judgment of men; but the cleverest of the sex are so constantly led into error by the influence of wealth, rank, fashion, distinction, and notoriety, as well as by the persuasion of others, that their opinion is rarely of much value. When, however, they are allowed to love men of genius, the probability is, their attachment will prove generous, ardent, and sincere" (p. 56). Thus does the intelligent Mr. Mitchell usher upon the scene Wallenstein's first bride. In fact, the alliance was contracted with a dame respectable equally for her years and her fortune, in both of which she far excelled her young and needy suitor. It is ungracious to

speculate upon which of these traits she hung her power to charm; especially since, soon after the nuptials, having brought her husband to the brink of the grave by a magical love-draught, administered in a fit of wifely jealousy, she herself in good time yielded up the ghost, leaving to her husband her large fortune and her interesting memory. Apropos to the love-draught, Mr. Mitchell tenderly refuses to transplant into his work "a grave and severe lesson" to ladies, which adorns the pages of Wallenstein's Italian biographer; for, says the gallant warrior, "ladies have now obtained a better hold on the affections of men than any which could be acquired by the dangerous and long-forgotten arts here mentioned; their sway over all who deserve to be ruled is sufficiently certain; and the coarse, the rude, and illiterate are alone placed by insensibility beyond the power of female control" (p. 58). What excellent sentiments! What irreproachable phraseology! The colonel's manners to the worthy members of the opposite sex in the drawing-room must present a most interesting study. In the olden times, he tells us that "the free and easy manners of our time, which, when not founded on the highest polish and mental cultivation, or on great goodness and singleness of heart, are generally very bad manners, were quite unknown."

The veil of Wallenstein's mourning for his deceased partner tradition has not ventured to lift; for ten years afterwards we catch no glimpse of him as he lay hidden in the recesses of the deceased fair one's Moravian estate. But in the joys of the inheritance it is only just to suppose that he grieved deeply for her to whom he owed it.

From this obscurity he finally emerged in 1617, to take part with Ferdinand of Grätz in his contest with the Venetians. He raised two hundred horsemen at his own expense, and won whatever glory was won by any one in a not very extensive campaign; and what was of equal or greater importance, he made himself famous for the imposing magnificence of his own mode of life, and for his open-handed munificence to his followers. In those days soldiers were mercenaries; war was a species of land-privateering, and liberality was perhaps the best capital on which a chieftain could rely. As do the vultures to the battlefield, so the freebooting soldiery flocked to such banners; and Wallenstein in after time reaped the full harvest of his prodigal largesses. Wealth, and in her train fame, were now his. "As Fortune is a lady, we are bound to speak of

her in measured terms, though it must be confessed that she sometimes behaves in a manner very discreditable to her sex; Wallenstein's unsupported merit could not obtain a single smile for him, but his wealth instantly called the goddess herself to his arms" (p. 62). The individual thus figuratively called a "goddess" was Wallenstein's second wife, the Countess of Hanach, not thus distinguished for any charms of form or feature, but for the less fragile traits of property and connections; for she was the daughter of Count Hanach, the imperial minister, and had a goodly portion. How fortunate are those who love sincerely in wise places! Wallenstein was certainly stepping steadily up the ladder of success with long strides. Mr. Mitchell pertinently observes that "the waves of ocean bear highest on their breast the bark destined to destruction, at the moment when about to hurl it against the sunken reef which defies alike the skill and courage of the mariner" (p. 63). Probably he thinks that he cannot be accused of bad taste in his figures if he employs only those which constant use through many ages has confirmed as faultless.

The great Thirty Years' War, upon the blood-stained field of which Wallenstein stands forth a commanding and active figure, was one of the many acts in the long drama of the struggle between the Old and the New, the spirit of the Past and the spirit of Change, Catholicism and Protestantism. Europe was sundered by the still unclosed schism of the grand religious dispute. This made the politics and the sympathies of nations; upon either brink the parties mustered in nearly equal numbers, and the unstable scale swayed to and fro, subject to each slight and passing influence. The positions of the great powers were nearly as follows: England had thoroughly committed herself to the Reformation. James II. supported the august character of head of the Anglican Church, with whatever dignity was in his unkingly nature; but he trembled at the sight of a naked sword, and in the continental discussions his people took little or no part. Louis XIII., the youthful monarch of France, though with less of frivolity in his temper than was apt to be the case with French kings, was yet far from wielding his sceptre with a powerful hand. The Huguenots had not been forever suppressed by St. Bartholomew's day, or by the strong and politic rule of Henry of Navarre, (the Fourth); but, hydra-headed, they still showed threateningfangs. So, at the moment of Ferdinand's election to the

imperial throne, France was not available as an active ally of Catholicism beyond her own borders; she soon, however, acquired nearly her proper importance by the rise to supremacy of the astute Richelieu, a prelate of the Church and a statesman whose name remains to the present day as the byword of wily policy. Under his sway the kingdom became like a well-bitted horse in the hands of a skilful jockey. Yet even thus her conduct remained doubtful; if religious sympathy was one rein, still worldly policy was the other; the cardinal abominated heresy, but the minister of France dreaded the power of Austria. Thus, between nicely balanced interests, the action of this kingdom was never sure. Spain was, of course, Catholic to the core; but she was likewise rotten to the core. She was a thin and hollow shell—a name of might, but of small military value. Philip III. was an unworthy descendant of the mighty Charles V. and the stubborn Philip II. Ill-fated Germany, cut, like a checker-board, into many principalities and powers (how incorrect is this name!) was the miserable field on which this great game of draughts was to be played, through all its bloody course to the wretched end of exhaustion. Princes and electors espoused the cause of one or the other religion, and changed the same as convictions or policy commanded. Austria alone was firm for Catholicism. She was, as her power entitled her to be, the head of the alliance of the League, so-called; and against her the Protestant states formed the federation of the Union. Ferdinand the emperor was a man of peculiar temper and incongruous qualities. His most remarkable trait was an obstinacy which seemed at times to possess him like a devil, and which oftentimes did him yeoman's service. He was a strange mixture of dogged resolution and personal inefficiency. With no great qualities of mind, this will, or wilfulness, alone prevented him from falling into mediocrity. History furnishes us no other specimen of a prince who aided an indomitable spirit and boundless courage in asserting it with so little of active or energetic exertion in securing the objects of his stern resolution. Personal vigor in execution was wholly wanting in a character wherein its closely kindred attributes were developed far beyond the ordinary. Nothing could ever bend him from a purpose; nothing could ever urge him to energy in accomplishing it. He uttered his will resolutely, and then he tranquilly awaited the interference of luck or Providence to take in hand the business

of fulfilling it. During most of his reign he was fortunate in having agents who abounded in the qualities in which he was lacking.

Ferdinand's reign opened with the war in the Palatinate, boldly undertaken and feebly sustained by that most impotent of would-be sovereigns, Frederick, called the Palatine, son-in-law of James I. Seldom has a man with the ambition to conceive and the spirit to attempt such bold designs, evinced such imbecility as disgraced the career of this man. Authorities differ as to whether a sermon or a banquet occupied his time while Maximilian of Bavaria was routing his army and shattering forever the fragile fabric of his hopes; neither occupation was very appropriate for so momentous an hour. But perhaps he would have done better had he enjoyed the valuable tutelage of Mr. Mitchell, who ardently exclaims, that "the aspirant for diadems must throw away the scabbard, must keep bright honor alone in view, and set his life as nothing on the east" (p. 73).

After this the victories of Maximilian and his colleague, Count Tilly, soon quelled all armed revolt. Throughout Germany no hostile standard was to be seen. For a brief moment in his stormy reign Ferdinand sat in his purple robes in Vienna and looked abroad upon an empire at peace. But it was only for a moment. In the condition of Europe at that time, peace was generally but a truce and victory seldom meant conquest. Banditti let themselves out for hire; the hastily-gathered hostile armies manœuvred and fought; the one that was worsted became demoralized, and its hirers bought peace by submission. Soon, having gained an ally or collected funds, they would appear with a fresh army and renew the war. Standing armies could not be maintained, for the imperfect financial system kept the sovereigns in the precarious condition of mercantile speculators, to-day rich, to-morrow penniless; thus, like two well-matched wrestlers rolling upon the grass, now one, now the other uppermost, the prince's power struggled, and the conquered and the conquerer changed places in ceaseless rotation. So now the princes of the Union, after a brief exhaustion, began to rally their resources, called in the aid of Christian IV., of Denmark, an able king, under whose rule his little realm had assumed unwonted importance, and again threatened to embroil Austria.

Thus a storm of war was fast gathering around his borders, while Ferdinand was far from satisfied with the internal state

of affairs. The successes lately won had greatly enfeebled him; his resources were cruelly drained, and he hardly knew whence to gather means to encounter the threatening assault. Moreover, he was as ambitious of independence as of peace, and now he saw with jealousy that he owed all which had been thus far accomplished to Maximilian of Bavaria; and he was further bitterly troubled to see that this potentate was quite aware of his deserts, and inclined to demand an ample reward; he at once claimed to be paid for the past, and propitiated for the future. But Ferdinand well appreciated the merits of a rotation in office, and the more surely events seemed to render Maximilian indispensable to him, the more keenly did he look out for another to supply his place. Wallenstein met him at this point precisely as he wished to be met; he had inherited from his first wife large estates; her successor had brought him no inconsiderable addition; he had done good military service and had taken good wages therefor; he had bought confiscated estates, and because the titles were considered none too good he had gathered them at an immense discount from their real value; his financial operations had been upon the same scale of magnificence and vastness, as was everything else that he undertook. He was now a man of immense wealth—more immense, indeed, than even all these fruitful sources can easily be made to account for. He came forward with a characteristic proposition—one of Olympian grandeur, like all his conceptions, and also, like them, all tending to his own unlimited aggrandizement.

Schiller's spirit seems almost oppressed by the stateliness of the man; he comprehends him not; and in his embarrassment he suspects evil, and utters furtive innuendoes that the great man was at this early hour, in the innermost recesses of his soul, already brooding over treason. The suspicion seems simply absurd. His offer to the emperor was that he would raise an army of fifty thousand men at his own expense; defray all charges of equipment; and keep them in the field at his own expense; that he would hold himself and them implicitly at the command of the emperor, like any other imperial general and army. His only terms were that the force should not be limited to a smaller number; that he should have the nomination of his own officers, and should be allowed to remunerate himself and them from the property which should be confiscated in the principalities which he expected to conquer; also that he should have for himself the pay of 6,000 florins

per month. At the court of Vienna this proposal was regarded as the impossible scheme of a speculator and a visionary; and the courtiers cracked their simple jests and jeered loudly at Wallenstein. But the plan had its merits, and they were not inconsiderable. It cost Ferdinand nothing; if it broke down he met with no positive loss; he simply failed to a prospective gain, and to this he could reconcile himself. He accordingly closed the bargain; and therein he showed a degree of wisdom which should gain him credit at least for mercantile ability. The scoffers soon stayed their ridicule and looked on astounded. The herculean task went on apace. Impossibilities for other men were bagatelle to Wallenstein; and now the world began to appreciate the wonderful powers of the man. The works which he was to achieve were mighty, and already crowned heads began to stare at his deeds. What the horns are to the bull, what hoofs are to the horse, what speed is to the hare, what jaws are to the lion, all this and more was Wallenstein destined to be to Ferdinand. Ferdinand acknowledged his own inability to raise an army in all his kingdom, backed by all of its imperial resources.

In two months Wallenstein was at the head of twenty thousand men; he began his march, and before he reached the confines of Saxony his army numbered thirty thousand fighting men. As the avalanche gathers fresh accretions in its course, so this host grew daily. There was an eclat about the name of its leader which acted like a magical spell upon the men of war. Adventurers from every race of middle Europe flocked to his standard; the very species of troops which he most valued were the men who were allured most surely. Freebooters, men who lived by the sword, loved plunder, feared neither God nor kaiser, would fight against any country with like indifference and ferocity; who scorned a nationality which was but the accidental result of birth or language; who followed their captain for rewards and booty, and who had learned by long experience that the surest way to obtain these objects was to obey well and to fight well. They knew and respected the notorious ability of their chief; they were aware that he was unmatched for liberality, that gold pieces seemed to rain in his camp; that for the purposes of the present war he was as much a soldier of fortune as themselves, and with an infinitely heavier stake to lose, and that the same cast of the die which determined their luck likewise governed his own. Such a host, led by

such a general, was formidable under any circumstances. Co-operating with the forces of Tilly, the Protestants found them invincible.

In the conduct of this campaign we may observe the same wily system of tactics which marks the whole of Wallenstein's military career. His notions were controlled with the utmost art to subserve equally the cause of his master and of himself. Success was in every point of view of the first importance, and this accordingly he always ensured with military skill; further, self-aggrandizement was his ruling motive, and therefore success was always sought by such astute courses as surely promoted this design. Divided glory and divided spoil were alike odious to him. So he disregarded Ferdinand's plan for the campaign, and managed to avoid a junction with Tilly, although imperatively commanded to effect it. But he let Tilly have his full share of the fighting, and then ingeniously contrived himself to garner most of the harvest. Tilly routed the foe, and the name of Wallenstein was terrible; Tilly cleared the country, and Wallenstein pounced upon the booty. Schiller states that his forces gradually swelled to the number of one hundred thousand men—a vast force in those days. Like a deadly canker-worm upon the green leaf, they ranged to and fro through whatsoever territory it pleased them, living on the fat of the land, taking whatever struck their fancy, revelling in the very elysium of marauders. It did not cost Wallenstein much to support them. When they fought—as they did fight some hard battles—they fought well, and they took an ample reward after the victory was won. Christian IV., discouraged and discomfited, retired to his kingdom. Wallenstein sat down before Stralsund to besiege it. He had begun to feel himself invincible; but to besiege a seaport without the aid of a fleet was a useless task; and for the first time he had to desist from his enterprise. Yet the fruits of the seed sown at this siege were to ripen after many years, and were rich enough when they came: For the people of the city in their extremity cried to Gustavus Adolphus for help, and, in answer to their cry, a party of Swedes came to their assistance, and thus gained their first foothold on German soil.

Wallenstein was now peerless in Germany; haughty and unrelenting, he trampled alike on friend and foe, and he fed his insatiate soldiery indiscriminately on the territories of both League and Union. He was hated and feared. But for the

hatred he cared not, and he made the fear a useful servant. When the wronged princes came to him with the remonstrances of anger or of submission on their lips, he scornfully told them it was time now to have done with electors, that Germany must have a single and absolute sovereign like France and Spain. How much happier might have been the lot of Germany had this stern aspiration been fulfilled! Tyranny is a milder mistress than anarchy. So Ferdinand was king from the Adriatic to the Baltic, and Wallenstein was his terrible servant. But the servant was not serving for nothing, and in 1627, having put his army into winter quarters, he hastened to the capital and demanded as his reward the duchy of Mecklenburgh; the hero was as audacious at the footstool of his prince as in the face of the foe. The tongues of many enemies at court wagged violently against him, but he bade them be still and straightway they were silenced. He got his duchy and returned to the head of his hordes. For some time afterwards communications passed between him and the King of Sweden, whose potent alliance he sought studiously to gain by very liberal overtures. Already the prescience of coming events seemed to haunt that astrological spirit; the name of the great King of Sweden rung in his ears like an ominous fateful dirge. He scented trouble in the northern quarter. What there was suspicious in his anxiety to propitiate or disarm by negotiations or alliance this dreaded potentate, we are unable precisely to divine.

But Schiller intimates that the correspondence was traitorous; that Wallenstein was already hatching treason; that he longed even in these hours of triumph and victory to sell himself to the Swedes. The idea is wild and improbable in the extreme. What temptation could Wallenstein hold out to this champion of Protestantism which should induce him to set the imperial general upon a German throne? What cared Gustavus for the internal feuds of Germany? And if religious antipathy to Austria were to move him, why should he choose to exalt the one Catholic who has just shown more dangerous talents than were possessed by any other man of that persuasion then living? Moreover, the emperor knew and approved of the diplomacy. We can see no treason. Schiller had an abhorrence of Wallenstein, and the sentiment is apparent wherever he speaks of him; he fails to do justice to his abilities, and in all his acts he sees nothing but vice. For his

most high-minded deeds this ingenious historian supplies ignoble motives; and the art with which results are made to suggest causes, and the course of history susceptible of many *prima facie* upright explanations, is traced through subtle intricacies to some faithless scheme of this persecuted man, is more indicative of the theorizer than the historian, and does more credit to his subtlety than to his penetration. Schiller was himself deeply imbued with religious prejudice. So far are we to-day removed from the religious struggles of the middle ages that the feelings of the modern historian seldom exceed in force a moderate predilection, and are not apt to betray him into partisanship. But Schiller wrote the history of the Thirty Years' War with the feelings and vigor of a strong partisan. He loves the Reformer and loathes the Papist. Moreover he has a tender heart; the cruel system on which the war was conducted by the mercenary bands of such leaders as Wallenstein, Tilly, and Mansfield, sends a shudder through his generous soul; he sees demons rather than men in these leaders, and he is forever finding for them alien villainies to augment the melancholy list of those which cannot be denied. Common sense forces us to acknowledge that he is at any rate very premature in his efforts to make a traitor of Wallenstein at this period in his career.

Peace at last seemed possible when there were no longer any opponents in the field to dispute the mastery of the emperor; and it was concluded at Lubec, in January, 1819. "This event," says Mr. Mitchell, "left Wallenstein absolute master in Germany and without an equal in greatness; his spirit seemed to hover like a storm-charged cloud over the land, crushing to earth every hope of liberty and successful resistance." This ominous language is painfully fitting. Throughout the war the whole country had been ravaged by his rapacious soldiery, and desolation reigned supreme. Fire, sword, plunder, and brutality had woven their course to and fro over the face of the country, like the tortuous trail of a serpent. Now it remained to pay the leaders, not less greedy than the common soldiery. It is odd to see the various generals soliciting the desired grants and favors, not from Ferdinand, but at the hands of Wallenstein, perfectly trusting that in him lay all the power. But now, standing on the giddy pinnacle of human greatness, and hard pushed by the ascending crowd behind him, he was tottering to his fall. Mr. Mitchell's simile of the ship upon the breakers near the reef should have been saved for this spot. By his

own success he had robbed himself of his own importance. He was no longer needful to his master; and that master loved not overmuch the man to whom he owed overmuch.

Wallenstein might have learned a lesson from the disgrace of Maximilian of Bavaria, on whose ruin he had himself risen. Moreover, the foemen of the domineering chief were countless. The whole court of Vienna hated him; only his precious soldiery swore by him alone, and his officers were fascinated by the general whose star was never obscured; but these had no political influence, nor access to the imperial ear. Dependents he had many, but friends he had none. He was munificent, but cold. Little warmth of devotion was kindled in those mercenary days by a gift; the recipient seized his booty, made off with it like a greedy vulture, and if he hoped for no more from the same quarter there was an end to his gratitude. Wallenstein was the most undemonstrative, unimpressionable, of men. He scattered his donations broadcast like a Roman emperor; but of smiles, of kind words, of sympathetic deeds, he was chary. In the days of trial none stood by him a moment after the cloud seemed to have gotten fairly over the edge of his disk. The influences brought to bear against him were feebly opposed, and at the diet of Ratisbon his deposition was resolved upon. But it might be a hazardous matter to carry this decree into effect? If Wallenstein refused to be deposed, what was to be done. The mighty Austrian emperor had just subdued a vast army of foes, but his might lay in the tent and camp of Wallenstein. What his hair was to Samson that were this mercenary host and its leader to Ferdinand. They were the strength of his empire. What were the chances that the forces would refuse to revolt? Their allegiance was due to Wallenstein; he it was that had mustered and had paid them. They were for sale and he had bought them. They owed nothing, not even daily bread, to Ferdinand. At their head Wallenstein could have marched to Vienna, and chased the emperor on to the bayonets of the Turks. But the species of boldness required in this emergency was just what Ferdinand possessed; he dared to say anything, to order anything. So he hesitated not to bid Wallenstein to retire from the head of this army of his own raising, this army which he might look upon as his private, individual property, and settle himself in rustic comfort on his estates.

These were bold words, but there was no chance that they would be backed by bold acts. Such was not the

nature of the spokesman. Had Wallenstein refused, Ferdinand would have calmly waited till somebody came to help him out of jeopardy. But Wallenstein saved him all this tribulation. He calmly met the commissioners, of whose errand he was well aware, and he submitted at once to the decree. He left the army without a murmur, without an effort at sounding its fidelity. If others dreamed of disobedience, he at least did not. He retired to Gitchin, where he intended henceforth to fix his residence. What now can we think of the spirit of Schiller, who finds ground for mistrust in this very submission! This is cruelty. If an act, in itself perfectly virtuous, nay, magnanimously and strikingly so, is to be referred by subtle interpretation to a vicious motive and deep laid villany, we must require strong and overwhelming proof to justify us in accepting the explanation; the measure we mete is to be measured to us again. Yet not one authority, not one syllable of proof, is adduced by Schiller. Though true it is that this is the principle upon which the whole History of the Thirty Years' War is written, no authorities are quoted; we take the story as Schiller has concluded to tell it; we can believe what he says, only provided that we are willing to put perfect trust in the correctness of his judgment. We must assume that he had the means of arriving at the truth; and that he was capable of using, and did use, these with infallible accuracy. An author who treats his reader in this manner demands a great deal, no matter what may be his reputation; and it is peculiarly improper when history is to be written by a poet and a dramatist, and when a great man is to be accused of black and ignoble crimes. In the nature of the case, too, Schiller's theory is improbable. It is not likely that a hot-blooded warrior, who, astrologer though he was, could read the events and foresee the retributions of the future no more than other mortals, should have calmly allowed the power of present revenge to pass from his hands in anticipation of greater opportunities to come. Yet Schiller would have us believe that Wallenstein anticipated the invasion of Gustavus Adolphus; that he foresaw the successes of that prince; in short, that he read, with a prescience little less than divine, the course of German history for many years to come. How absurd is this! Yet upon an assumption of its truth Schiller would explain the peaceful retirement of Wallenstein, and ask us to believe him at that very moment a traitor. Had Wallenstein really been a man of a genius in anywise ap-

proaching that for which Schiller gives him credit, his success could never have been stayed by human power.

But be the cause what it might, the fact was simply that Wallenstein did, without an effort at disobedience, retire from camp to Gitchin. But in military or domestic life the spirit of the man was the same. He scanned Germany with the eye of a Persian βασιλεὺς; a huge magnifying-glass seemed to be ever before his mental vision. Every movement of his mind was stately; every conception was colossal, and his performances were mighty. From magnificent destruction he turned to no less magnificent creation. Having accomplished among cities and hamlets a chaotic ruin, he now set himself to the organization of a busy, prosperous, and plentiful society, within the limits of his extensive domains.

Parks and palaces for his own glory, labor and agriculture for the prosperity of his dependents, were the tasks which he set himself to accomplish, upon his wonted, superb scale. He no longer commanded an army of soldiers; but his workmen seemed a mimic army, and were counted by thousands. The pomp of royalty encompassed him; many of his generals and officers had been pensioned by him with a munificence greater than royalty often exercises; gentlemen of the proudest blood, assembling in his halls, gave to his palace the appearance of a royal court; six noblemen were ever in waiting upon him; sixty accomplished pages, fifty stalwart men-at-arms, formed his retinue; and he never travelled without a hundred carriages, fifty led horses, and sixty state coaches to escort him. He himself, in his cold and haughty demeanor, displayed the inborn power to rule. Proud and uncommunicative, munificent but not genial, he moved amid all this glory without peer, comrade, or friend. Six gates conducted to his palace at Prague; and in his own apartment the silence of absolute solitude, his own dear luxury, was intently preserved. The palace of Sagan which he began, but which he was prevented from finishing, was reputed one of the wonders of the world. Horses were his especial passion, and his stud was always the finest that money and assiduity could obtain. But of pleasure, so-called, he knew not the charm. So seldom did he speak that the harsh tone of his voice seemed to have become rusty from disuse. Banquets and convivialities he loved not; so long as his twelve patrols secured to him unbroken stillness, he seemed to regale himself with the only pleasure of sense which he was capable of enjoying.

On what terms he was with his wisely-chosen wife it is hard to say. We hear almost nothing of her. Probably there was little of either love or hatred between them; probably she had what she asked for, and each followed his and her own course of life, little concerned in the other. Mr. Mitchell remarks that it is odd that in all the duke's correspondence, which ranges from crowned head down to the subaltern who managed his estates, we find not a single letter to his wife. But he seeks relief in the fact that the legacies bequeathed to her in his will and codicils "are in his usual style, splendid and munificent;" and he proceeds to inform us "that there is much more of real character evinced in testaments than might at first be supposed. "How often," he exclaims, "do we see these unhappy documents displaying the pride, fear, hatred, envy, or servility it had been the object, perhaps, of a long life to conceal, and exhibit after death all the poor and ignoble feelings which had lingered to the end in the dark recesses of the breast, and which the grave should in mercy have buried along with the last feeble remnants of mortality." The seeds planted by his youthful lessons from good Dr. Watts seem to have fallen upon good soil in his virtuous bosom, and at last have blossomed and borne fruit an hundred fold in these excellent reflections.

A few brief years rolled on in this manner, but they at last brought with them that event among the results of which was the restoration of Wallenstein to a greater than his former power and glory—that event which Schiller would have us believe his prophetic soul had long since distinctly foreseen. This was the advent upon the confused stage of German politics and religions of the famous Gustavus Adolphus. For a brief period of glory Sweden was now holding a foremost place among the powers of Europe. Under the sway of the enthusiastic and valiant monarch a vigorous life was sent flashing through her veins; and in an age when France and England lay dormant, and when might in the field made the beginning and the end of a nation's greatness, a warlike king and a well-disciplined army gave to Sweden temporary force. Gustavus was the zealous champion of Protestantism; this was doubtless his sincere belief, not a mask or tool for political designs. He was impelled to assert it by force of arms at once; by his own spirit, which was thoroughly that of the warrior, and by the spirit of the age, which loved to seek proselytes beneath the edge of the sword. Moreover, the political

exigencies of the hour pressed him hard. Austria was pushing to the north, and had long contemplated with avidity the idea of establishing a naval force in the Baltic.

This neighborhood would not at all do for Sweden. But the principal motive lay, after all, in the zealous and martial temper of the king, who was the very exponent of the feeling of a conservative age, save that he had in him an unusual dash of liberality. So he responded to the feeble cry for succor which reached his ears from the gasping princes of the crushed Union; and on June 24, 1630, he landed on the northern coast of Germany, at the head of an army which for discipline, equipment, and bravery was then unmatched in the world. It had been the fond toil of his life to form this host, and now its drill and tactics made it seem, among the disorderly hordes of the Continent, almost what the Macedonian phalanx seemed among the unwieldy masses of Persia. Moreover, his camp was like that strange one of Cromwell, wherein was neither swearing, drinking, nor gambling; but a host of fanatics assembled at the matin and the vesper hours to hear prayers and exhortations from the lips of fanatic preachers. At first his advent was disregarded by the haughty court at Vienna, rendered presumptuous by a long series of successes. But these were gone with their cause; and by degrees this little cloud in the horizon, no bigger than a man's hand, spread over the face of the heavens, the black pall of the tempest. Count Tilly commanded the imperial forces. He was an able commander, of tried bravery, of long experience in strategy and high renown in tactics; a stern, relentless, unyielding soldier of the hardest school. Ferdinand trusted in him implicitly, but he trusted in vain. At Leipzig the Imperial and Swedish armies first encountered. It was after the Swedes had been long in the country, for neither general had been very desirous to meet the other, and there had been a great deal of marching and manœuvring. This mutual timidity was justified by the trial; hither and thither the changeful tide of battle rolled; now the Swedes were routed and in flight; now they rallied, and the Imperialists in turn were broken. The contest was savage, stubborn, long, and doubtful. At length it inclined in favor of the indomitable Swedes. Once decided, the completeness of the victory was proportioned to the bloody and disastrous nature of the fight; and the Austrian army was so scattered and destroyed that scarcely two thousand men could be gathered together from the wreck on the following day.

In a second conflict, some months later, Tilly himself was mortally wounded. Matters thus rapidly came to a perilous crisis for the emperor. East and west, north and south, the Swedes ranged uncontrolled, unopposed, through Germany; their compact host met with no barrier able to stay its resistless course. Already it was rumored abroad that Gustavus aimed to empty the imperial throne of an occupant who seemed unable to keep his seat thereon, and to fill it himself. The Austrian supremacy had apparently lived out its allotted term; and its brilliant flame was dying feebly away in thin smoke. David had smitten Goliath, and the giant had reeled. Unless some *Deus ex Machina* would opportunely furnish his miraculous aid, Ferdinand seemed undone forever. And what God was there, save one? To Wallenstein even his foes now, perforce, turn for aid. Schiller says that he was engaged in subtle machinations to effect this result. When the hostile forces were marching upon Prague, and Wallenstein was at the time living in the city, the terrified authorities would fain have looked to him for guidance and command; but he gave them cold comfort, absolutely refused to grant any active assistance, and soon after, as the danger grew more imminent, he left the city, which was then of necessity surrendered. Schiller is indignant beyond measure at this conduct. He vehemently charges Wallenstein with betraying the general cause for the ignoble purpose of rendering his own services more imperatively necessary.

It may be that his statement is correct, that Wallenstein might have held the city had he chosen to make the effort; or it may be that the city was really untenable, and that Wallenstein was unwilling for many natural reasons to undertake a fruitless defence. This question we cannot now determine. If the former supposition be true, certainly Wallenstein displayed no great magnanimity; but equally certainly it was neither villany nor treachery in him, a private and disgraced citizen, to refuse to accept a command for which he had no commission. The worst that can be justly said is that his behavior was guarded and selfish; and that he was a consistently selfish man is undeniable. But he could now dispense with wire-pulling; art was not requisite to secure the inevitable offer, or more properly, the inevitable request, which Ferdinand now preferred, that he would assume the command-in-chief. He was indispensable. His foes at court fired one Parthian arrow, however, and it was

at first proposed to unite with him in equal authority the king of Hungary. The fiery duke, in a storm of wrath, swore that he would accept no divided command were God himself to be his coadjutor. Ferdinand was in no condition to parley; he retracted the offensive proposition, and suffered the duke to make his own terms. And the duke made them, hard and haughty enough; for which he has Schiller's heartfelt malediction.

But why should he not have done so? He was surely under no bonds of gratitude to Ferdinand; of the two he had certainly not been behindhand in benefits. Now he simply drove a bargain; what he had to barter was worth a high price, and, like the books of the Sibyl, it rose in value with the delay to purchase. Moreover, he had learned by no vicarious experience what was the reward of a too successful general after his work was done. If his conduct was not poetically high-spirited, it was certainly sternly just. His first effort extended only to raising an army, which he agreed to do, and did, in three months. Then the humbled and suppliant emperor had again to beseech him to assume the command of it. He finally consented only upon condition that so long as he remained generalissimo he should be entirely absolute, independent of the emperor's orders, and free to dispose at his will of all the property which should be conquered and confiscated.

His conduct during the ensuing campaigns was an artful combination of good generalship and adroit selfishness. He pushed Gustavus with alarming skill, and punished his personal foe, Maximilian of Bavaria, with wily malice. Gustavus shut himself up in Nuremberg; Wallenstein sat down outside to starve him out. Neither scoffs of foes nor entreaties of friends could move him. In vain Gustavus sought to bring on a battle; in vain the imperial troops grumbled at inaction. The inflexible one only said that "blood enough had been shed." And in the end the grim hero did starve out the Swedish king; though in the process he had so nearly starved himself that when the Swedish forces left the city they were allowed to drag out their weary retreat unmolested. But with two such generals and two such armies in the field the war was not destined to be finally settled by Fabian strategy, without a decisive trial of strength. A great battle was inevitable, and it was finally fought near Lutzen—an ever memorable name! The hosts met each other with that stern resolution which always characterizes

a contest between veteran troops who neither undervalue their adversary nor distrust their own commander. It was a hand-to-hand contest, ferocious beyond the wont of even those ferocious days. Generals and men were well matched. Gustavus seized a favorable moment to attack when Wallenstein was weakened by the departure of a heavy detachment under his general Pappenheim.

At first the Swedes carried all before them, the imperialists broke and fled. Then was seen the personal power of Wallenstein — "Night must it be ere Friedland's star can beam!" Amid the flying ranks his voice, his presence, as if by magic, restored discipline, reformed the ranks, and rolled back again the surging tide of victorious Swedes over all the ground which they had gained. Again the balance quivered, doubtful. In this crisis of the conflict, Gustavus fell mortally wounded. Ordinarily such an event would have decided the victory at once; but, strange to say, the Swedes, instead of being discomfited, were only incited by a demoniacal rage to revenge the fall of their adored leader. Wallenstein's outnumbered troops were again giving ground; the imperial ammunition train caught fire, and with horrible uproar wagon after wagon exploded, and added to the panic. But a second time the fortune of the day was restored by the unexpected appearance and opportune onslaught of Pappenheim at the head of his cavalry. This leader had been overtaken on his route by news of the movement of Gustavus, and, appreciating the hazard caused by his absence, had made all haste to return. His advent checked the triumph of the Swedes; but his men and horses, wearied by a long and rapid march, were unable to do more; and the battle ceased by reason of the utter exhaustion of both combatants. Each retired from the field, but Wallenstein retired the further and did not return; the Swedes, on the contrary, a day or two after, marched on to the ground and brought away their own and the imperial artillery. This fact certainly entitled them to claim a victory, and it seems further probable that the army of Wallenstein was much the more shattered of the two. But the death of Gustavus far outweighed this slight advantage. This monarch has ever deservedly been a universal favorite. Tolerant in an age of intolerance; merciful in an age of ferocity; generous in an age of selfishness, his virtues borrow extra brilliancy from contrast with the evil natures and dark passions with which they were surrounded. Weak men or

wicked men made up the sum of the leaders in war and in politics in those days. Even if we wash away the doubtful stain of treason from the fame of Wallenstein, he yet remains a man of no *virtue*: selfish and able, but neither magnanimous nor philanthropic; a fearful tyrant, but never a benefactor of mankind. Schiller loves Gustavus Adolphus as a poet loves his hero, and speaks of him with the most laudatory, fond, almost caressing epithets; and it is with a feeling of sorrow, almost like the grief felt for a personal friend, that he records his death. The paragraph in which he depicts the deep mourning that fell upon the whole Swedish court, is touching in the extreme, and might well, as Carlyle says, "draw 'iron tears' from the eyes of veterans."

From this moment the mist which shrouds the plans of Wallenstein becomes impenetrable; his actions become dubious, his aims inscrutable—from this moment he *may* have begun to deserve the name of traitor. Since his first assumption of the command, he had held it of the first importance to detach Saxony from the Swedish alliance. The Electorate of Saxony was very powerful, and her adherence was the backbone of the cause of Gustavus in Germany. If Gustavus and Wallenstein were equally matched, then the Elector John George was the deciding weight. Accordingly, Wallenstein resorted to every art to shake his steadfastness; the most tempting lures in the power of Ferdinand to offer were held out to him. He wavered, but would not be fairly enticed. Then violence was tried; his provinces were made the seat of war and the theatre of fearful ravages; and still he was given to understand that his defection was desired and would stay all this desolation. This course promised to be more effective. At the death of Gustavus, Wallenstein was still exerting all the manœuvres of his art to bring about this result.

Schiller will have it that he sought for himself an independent principality in Saxony, which would place in his vigorous grasp that useful balance which now trembled so indecisively in the feeble hand of John George. But the emperor was cognisant of the negotiations; and what are the grounds of Schiller's suspicions it is not easy to see, especially since, as usual, he deigns to furnish no authorities. But after the battle of Lutzen, Wallenstein's course is not clearly to be explained. Neither fidelity nor treason will give us an unbroken clue to the labyrinth of his policy. Perhaps he meditated treachery and was unable to resolve fully to commit himself thereto.

He seems to us like a man pursuing an evil path with a faltering tread, and anon turning to retrace his steps while yet there was time. He relaxed his military exertions, and opened communications with the Swedes. He professed to seek peace. Schiller says he sought the imperial throne; but this seems to us going too far. The mighty Austrian truncheon would have well become that potent grasp; but the very abilities which fitted him for the place also taught him the folly of aiming at it. He was a man of magnificent schemes, but likewise he was a man of sound wisdom. If his ends had always been lofty, still his means had ever been vast. If his conceptions of his objects were colossal, no less so were his conceptions of his tools. Thus far he had never miscalculated the adequacy of the one or the other, had never allowed himself to become the dupe of an untimely ambition.

It was strange if this practical wisdom, which so long had marked his course, which had carried him safe through undeserved disgrace following close upon self-won triumphs in the hotter blood of younger days, was now at last in his mature years to fail him, and yield before a giddy scheme which none but a madman or an imbecile could cherish. To overturn the throne of Austria! to depose the descendant of the Cæsars! His proud soul would have quivered with exultation at the idea. But he who had undertaken much and never failed, who had the benefit of no small experience in measuring the sufficiency of his resources, ought not to have been entrapped by the glamour of magnificence alone. And what implements had he wherewith to accomplish the mighty upheaval and no less mighty reconstruction? Could he expect that the Swedes would assist to seat him upon the imperial throne? They were not the material out of which a Prætorian cohort could be made, and none knew this better than Wallenstein. Then, moreover, they and the Saxons alike mistrusted him, and suspected his negotiations. They thought he aimed only to outwit them, and bring their throats fairly within his grasp, and then to strangle them forever. Whatever his friends may have suspected, his foes were unable to believe him a traitor. Mr. Mitchell will see no treason; but this is not very encouraging, for Mr. Mitchell does not betray such talent or acuteness in his work as to render his opinion valuable.

On the other hand, Schiller believes in his guilt to the uttermost extent; but neither is this very discouraging; for even in holding the pen of the historian, Schiller cannot di-

vest himself of the feelings of the poet. His conception of Wallenstein is thoroughly dramatic even in his history. In his dramas the character is, in an artistic view, unapproachable save by Shakespeare; and exactly in this range of character even Shakespeare has nothing finer. This picture of the stately saviour of a mighty realm, hesitating and trembling at the thought of becoming the betrayer of his own noble work, and while dallying with the awful idea, suddenly transformed into a fugitive, and falling beneath the daggers of assassins, presented a fascination which the spirit of Schiller could not withstand; to conceive it was to believe it. And yet even Schiller, in a moment of honesty, confessed that he was not sure of the correctness of his judgment of Wallenstein. What, then, is to be thought of Schiller's conduct? Poets, dramatists, and novelists, who take for their subjects the events and persons of real life are under the most awful obligations to conduct their work with conscientious scrupulosity. How nobly have Shakespeare and Sir Walter Scott fulfilled their responsibility! What departed spirit can in the world to come call them to account for wilful defamation of character? None; and this fact is not the smallest of their glories. An historical personage is embalmed in a great poem, a great drama, a great novel; and as he appears therein so will his portrait forever look out upon the world. Dull history can seldom correct this coloring or this outline. It is a cruel deed for a gifted writer to use his genius to the ruin or destruction of a fair fame; nor is this often done out of wantonness or malice, but far too often out of careless disregard. We doubt if Schiller reflected sufficiently upon this duty when he wrote "The Piccolomini." Had he, in fact, the doubt which he confessed as to the truthfulness of his conception, he ought never to have embodied it in those superb scenes; or at least, since we should be loath to forego these, he ought to have published prominently in connection with them the doubt which lurked in his mind; for from their damnation the spirit of Wallenstein can have no resurrection.

The whispers of treason which floated in the air, and most thickly in Vienna, exceedingly disturbed the mind of the emperor. His only anxiety soon became to lay the spirit which he had evoked. He had tried once and successfully the experiment of removal, but he hardly ventured now to try it again; so he resorted to a subterfuge. Count Galas had his commission to supersede Wallenstein as generalissimo,

and the divers generals upon whom Ferdinand thought he could depend were scattered through the various camps to take all possible precautionary measures for some days before the removal was proclaimed, which was intended to have all the force of a surprise. One fact is noteworthy : from no source can we learn that Wallenstein made any effort to counteract the machinations which he must have known were at work against him ; calmly and scornfully he watched the meshes of the web which was weaving around him. He seemed to be jealous neither of his safety nor of his good name. This looks more like the innocence of a naughty spirit than the williness of a villanous one.

At last the storm burst. Galas proclaimed his commission. Wallenstein saw himself universally regarded as a traitor, and friends and dependents fell away from him ; he became shunned like a leper. Shortly before, a few zealous friends had summoned all the generals to a banquet, where, as the story goes, they showed them a paper binding them all to the service of Wallenstein, saving their allegiance to the emperor ; after the wine had gone freely about, what purported to be the same document was passed about for signatures ; but in this second paper the clause " saving their allegiance to the emperor " was omitted. This seems like an idle tale, and if it is true it ought certainly to have warned Wallenstein that his officers were not to be much depended upon, since it was thought necessary by his friends to resort to such a foolish ruse in the business. At any rate, Wallenstein found himself now left naked to his enemies ; the emperor drove him into the arms of the Swedes, and in his present straits they could hardly refuse to credit his sincerity. He fled to Egra, and arrangements were made for them to meet him there ; he hoped to be able to deliver the place into their hands. On the night preceding the day appointed for their coming, after a late sitting with his favorite astrologer, Seni, he retired to sleep. But those who murder sleep were at work ; while he had been reading the stars, knives had been whetting for his bosom. Almost before he had fallen into slumber, an uproar arose in his ante-chamber. Rising to upbraid the tumult, the silence-loving general met upon his threshold the ferocious gang of assassins, and in a moment, beneath the savage blows of many daggers, the great warrior fell and breathed his last, passing to a deeper stillness than all his efforts had been able to compass upon earth.

ART. III.—*State Bank System of the United States, 1865.*

WITH the exception of the issues of the Bank of the United States, which was first chartered in 1791 for twenty years, and re-chartered in 1816 for another period of twenty years, the paper currency of the country, previous to the commencement of the rebellion, consisted of the issues of bank corporations, chartered by the several states and territories of the Union. Over these state banks the Federal Government neither claimed nor exercised any control whatsoever. Some notion of the number and variety of the state authorities by which these institutions were created, may be had from the Bank Statement of the Treasury Department for January 1, 1860, showing that at that date there were :

	Banks and Branches.	Circulation.
In the 6 New England States,	505	\$44,510,618
“ 5 Middle States,	485	53,146,871
“ 5 Southern States,	146	35,863,618
“ 6 S. Western States,	138	46,000,759
“ 9 Western States,	288	27,580,611

Total, 31 states and territories, 1,562 \$207,102,477

Under our system it is to be understood that no state or territorial bank was under the control or supervision of the Federal Government, or any other common or central authority, and the conduct of the individual banks showed in all past times that they were practically uncontrolled by the state authorities which created them. Very few of those located in the interior kept their currency at par in the seaboard cities. Most of them were always uncurrent in the principal marts of domestic and foreign commerce; indeed, the principal cities of the Atlantic coast have seldom, and only for brief periods, kept their banknotes at par in New York.

For very many years, weekly lists of the rates of discount upon these state banks have been published at Boston, New York, and Philadelphia, showing nineteen out of twenty ranging from one quarter to two and a half per cent. below the par of the bank paper of the respective cities when they were in the best credit, and falling to ten and fifteen per cent. discount in times of monetary disturbance. In Hodge's Bank Note Reporter of June 1, 1864, New York state paper is quoted at $\frac{1}{2}$ discount in Boston; Pennsylvania state at $\frac{3}{4}$

in Philadelphia, and $\frac{3}{4}$ to 1 in Boston; New York state at $\frac{3}{4}$ in New York city; Pennsylvania at $\frac{3}{4}$; Baltimore $\frac{3}{4}$; Ohio 1; Indiana 1; Missouri 2 to 50.

The failures of these corporations in the last fifty or sixty years have been numerous and heavy. Mr. Gallatin, Secretary of the Treasury, reported one hundred and sixty-five which occurred between January 1, 1811, and January 1, 1830, having an aggregate capital of thirty millions of dollars; of these as many as forty-three broke in the single state of Kentucky, twenty in Ohio, nineteen in Pennsylvania, ten in Virginia, and nine in Maryland. In the vaults of these broken banks the government had \$1,390,707; and he adds that "the loss to individuals amounts to many millions." In a report made to the Federal Congress in 1843, the bank failures of the United States during the year 1841 are given as fifty-five in number, with an aggregate capital of sixty-seven millions, and a circulation of twenty-three and a half millions.

In Hodge's Bank Note Reporter for June 1, 1864, a list of "failed" and "worthless" banks is given. The number in the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut is seventy-eight; New York city, twenty-six; New York state, sixty; New Jersey, thirty-eight; Pennsylvania, sixty-five; Delaware, three; Maryland, twenty-five; District of Columbia, thirty-nine; Ohio, forty-seven; Indiana, forty-three; Illinois, nine; Michigan, twenty-nine—in fifteen of the loyal states and the District of Columbia, four hundred and sixty-two banks which had gone into insolvency. The losses sustained by the note holders and depositors of these banks are quite incalculable.

But the system is not only chargeable with the perpetual wear and tear of discount upon every note, whether passed at home for commodities purchased in the Atlantic cities, or remitted for purchases and payments, and the fearfully frequent and extensive bankruptcies which have marked its history. It must be held to answer, also, for its agency in the great commercial revulsions which have happened, with the certainty and almost the regularity of a natural law, in the half century of its uncontrolled rule.

Previous to the year 1834 no efforts were made by the Federal Government to collect and arrange the returns of the state banks, and when, by a resolution of Congress in June, 1832, the Secretary of the Treasury was "directed to lay

before the House, at the next and each successive session of Congress, copies of such statements or returns, showing the capital, circulation, discounts, specie, deposits, and condition of the different state banks and banking companies, as may have been communicated to the legislatures, governors, or other officers of the several states within the year, and made public; and when such statements cannot be obtained, such other authentic information as will best supply the deficiency," the officer to whom the duty was entrusted found these returns and sources of information exceedingly imperfect, both incomplete and inexact; of which the evidence furnished by the annual reports made since 1834 is unfortunately only too conclusive. The returns of the banks in different states are made in different months from January to December, affording no certainty as to the amount of circulation on any one day of any one year, and more especially rendering their reports of specie wholly unreliable; the weakest and worst of them being at liberty to put a parade dress upon their condition to answer the exigencies of their affairs. Apart from all honest uncertainties incident to this manner of reporting, it is well known that returns of the same specie funds were in many instances duplicated, counted once by the weaker bank having a specie credit in the stronger, and by the latter as coin actually in its vaults, with all the other manipulations of accounts and statements to which irresponsible corporations are known to resort. The only confidence that these returns deserve is, that they never overstate their liabilities or understate their resources, and that when they give their circulation on a stated day, or an average for any period, they are sure to put the figure at its minimum estimate. Moreover, the Secretary of the Treasury, in 1855, says of the data afforded: "In some years their returns have been very imperfect, the confusion that reigned among them being such that they apparently hardly knew how to make returns."

For the period previous to 1834 we have no documentary publications, nothing but estimates of experts, which, however, may well be as worthy of reliance as the nature of the enquiry they were engaged in permits. Those given for the earlier years of our banking history are estimates by Samuel Blodgett, who published his "Economica" in 1806; for the years between 1806 and 1830 we have the authority of Mr. Gallatin, Mr. Woodbury, and Mr. Crawford, Secretaries of the Treasury. The annual reports of the Treasury began in 1835.

A brief history of the bank circulation since 1790 will answer the purpose for which it is here presented: In 1790 there were but four banks in the Union, having an aggregate capital of \$1,950,000; in 1804 there were fifty-nine banks in operation, with an aggregate capital of \$39,500,000.

It is believed that but a small part of the capital of the state banks was paid up. The United States Bank was established in 1791, with a capital of \$10,000,000, and its paid-up capital probably exceeded that of all the state banks together. It is known, also, that so lately as the year 1800 coin constituted the bulk of the currency, banknotes being rarely seen south of the Potomac or north of the Alleghanies.

In the year 1808 the estimated specie in the country exceeded the amount of banknotes in circulation. The return made to the Treasury by the United States Bank in that year gave its specie at \$15,300,000, its circulating notes at \$4,787,000; and another return made in 1810 did not materially vary in these respects. But the policy of the New England banks for some time previous to 1808 was widely different. They commenced the expansion of their issues probably in 1803, and pushed it to the extreme limit of their credit, so that in 1808 and 1809 a grand explosion occurred, by which most of them were damaged and some of them totally destroyed.

The abundance of specie existing before the year 1808 is accounted for by the long continuance of the wars in Europe between the maritime nations, which threw the carrying trade of the South American mines into our hands. In that year Napoleon invaded Spain; England became her ally and protector, and the long interrupted direct trade between England and the Spanish colonies in America was resumed. At the same time our embargo law, followed by the act of non-intercourse, and finally by war with England, from June 1812 till December 1814, prevented the export of United States produce to foreign countries, and drained away the precious metals after the accidental supply had been cut off. The resulting scarcity of coin, and the increased demand for currency required by the exigencies of the war, was, as is well known, supplied by an excessive issue of banknotes, which was followed by a suspension of specie payments by all the banks south of New England in September, 1814. The check of redemption removed, the expansion went on, and seems only to have been accelerated by the proclamation of peace in February, 1815. The bank issues, estimated at thirty

millions in 1811, before the war, and at forty-seven millions about the time of the general suspension of specie payments, are put by Mr. Gallatin at seventy millions in 1816, and by Mr. Crawford, with probably a closer approximation to the truth, at ninety-nine millions.

An inflation so prodigious occurring in time of peace, and the consequently diminished rapidity of business circulation, was necessarily followed by a correspondingly heavy collapse. A population of not above nine millions, with a paper currency of eleven dollars *per capita* in their hands, or fully double the amount required by the condition of industry and trade, the whole mass resting upon a specie basis of about twenty millions, or one dollar for the redemption of five, could not escape a revulsion alike extensive and disastrous. The consequence was the most appalling distress which the country had ever seen, and which even to this day is without a parallel. The root of the evil was in the attempt of the government to carry on an expensive war by loans of bank credits and banknotes, thereby making irredeemable paper a national currency, assisting in its circulation, and encouraging its expansion. A national currency, such as our "greenbacks," or the notes of the national banks, based upon United States bonds, rests upon the faith and resources of the nation; and, however much it may be temporarily depreciated, is yet redeemable. But a corporation currency, resting only upon the debts of bankrupt borrowers, is utterly baseless, and its total excess is simply worthless.

The fluctuations in the amount of paper currency which led to and resulted from the great revulsion of this period, according to the estimates of Mr. Crawford, Secretary of the Treasury, in 1820, stood thus:

Banknote circulation in	1811.....	\$29,000,000
"	" 1813..	62,000,000 to 70,000,000
"	" 1815..	99,000,000 to 110,000,000
"	" 1819..	45,000,000 to 53,000,000

Taking the lowest figures in these estimates, they would give a *per capita* circulation in 1811, before the war, of \$3.87; in 1813, before the suspension of specie payments, \$7.72; in 1815, at the close of the war, \$10.58; in 1819, immediately after the general bank crash, \$4.81. But it is well known that during the year 1816 the banks continued to issue abundantly, and that floods of unchartered currency besides were poured out in notes of all denominations, from six cents up to five and ten dollars. The banknote re-

porters of the time give lists of notes in circulation by chartered and unchartered companies and individuals about equally numerous. After the 20th of February, 1817, Congress prohibited the receipt of inconvertible paper in payment of public dues. About the middle of 1818 the contraction began, and at the end of 1819, the banks had settled into what "Nile's Register" calls "a state of regularity;" meaning that the survivors had reduced their circulation to such an extent that, for the purpose of remittance, their notes or drafts on the metropolitan banks were worth a fraction more than silver coin, which was itself very scarce, owing to the preparation then making by the Bank of England, and the imports of specie by Austria and Prussia, for the replacement of their paper currencies with specie. At this time lands in the interior and agricultural products were for sale at one-third the price they commanded when the unusual indebtedness of the people was made, and at half the prices readily obtained in 1808-10.

In the period 1820 to 1830 the increase of banks and of paper money was not in the aggregate considerable, but the conduct of many of these ungovernable institutions was such that in the decade several ruinous fluctuations occurred in different districts of the country. We have no statement of the condition of the banks and the amount of currency afloat during this term, but we know that the years 1826-7-8 were marked by convulsions of the banks of New York, Georgia, South Carolina, North Carolina, and Rhode Island, with heavy failures among the manufacturers of New England, and widespread distress, insolvency, and litigation all over the country. All of which means not, perhaps, excessive issues of bank currency, but a general and disastrous disturbance of monetary affairs, which neither the state banks nor the United States Bank, then in full operation, with its capital of thirty-five millions and its credit worth still more, was able to remedy.

Mr. Gallatin puts the circulation of 1830 at sixty-one millions, a *per capita* average of \$4.74, something too small, perhaps, for the demands of business; but the paper money of this date was helped by a considerable excess of imports over the exports of specie in the two preceding years, amounting to above eight and a half millions of dollars; the great increase of the home supply of manufactures, protected by the high tariff of 1828, and the reduction of the exports of specie to China and the East Indies by the use of bills drawn

by the United States Bank on England for the accommodation of our merchants, which temporarily deferred the export of specie.

But in the ensuing six years the banks went wild again. Catching the earliest hopes of reviving prosperity, they extended their issues from sixty-one millions in 1830 to one hundred and forty-nine millions in 1837. Their specie, in the meantime, increased but sixteen millions (from twenty-two to thirty-eight millions). The average circulation for this year of enormous expansion affords \$9.52 *per capita*, while that of great Britain and Ireland in the same year stood at \$6.47. It stood at thirty-two cents per head above that of England and Wales, with their two-fold annual products of industry at that date, and correspondingly larger requirements of currency. The consequence was a suspension of payments by all the banks, including the mammoth United States Bank, in May, 1837, as if by common consent. During the residue of the year specie bore a premium at Philadelphia of various rates up to twelve per cent., and the bank paper of the different states was at various and fluctuating rates of discount, in some instances as high as twenty per cent., not in specie, but in the paper of the Philadelphia banks.

Favored by an excess of imports of specie over exports in the two years ending September 30, 1838, amounting to nearly twenty millions, the banks of New York and New England resumed specie payments in May, 1838. The banks of Philadelphia made three resumptions and as many suspensions before February, 1841; and did not effectively resume until March, 1842. The notes of the banks to the south and west of New York were at various rates of discount—one, five, ten, fifteen, and even to eighty per cent.; and specie at various rates of premium up to fourteen per cent., as measured in Philadelphia paper, which was at the time inconvertible. The reaction of this monetary crash is shown, as in that of 1819, by the fact that the circulation, which amounted to one hundred and forty-nine millions in 1837, was reduced in 1843 to fifty-eight millions—an average *per capita* of the population of \$3.06, as against \$9.52 in 1837. This is fluctuation with a vengeance.

The next general explosion of our paper money system occurred nine years after the California gold mines were fairly opened. From July 1, 1848, to July 1, 1857, California had furnished to the Mint and branches \$383,873,100; and the mines of Virginia, North Carolina, South Carolina,

Georgia, Tennessee, Alabama, and New Mexico had yielded \$4,514,469, in gold. The silver of domestic production deposited at the Mint and branches amounted to \$2,630,055, making together a grand total of \$391,017,624. The total silver coinage amounted to \$33,621,148. What part of this sum was an actual addition to the silver in circulation we do not now stop to determine. According to the Custom House returns, the exports of coin and bullion in these nine years exceeded the imports \$271,400,133. Here we have some basis for an estimate of the increase of specie in the country in this period. The Secretary of the Treasury, in December, 1857, estimated it at one hundred and forty millions. He believed the amount in 1849 to be one hundred and twenty-nine millions, and in 1857 two hundred and sixty millions. The data given would afford this sum, if to the gold from our mines we add twenty millions of the total silver coinage as a probable addition to the circulation, and assume that the residue was but the recoinage of foreign silver money previously making a part of our currency. This calculation, however, assumes that our stock of coins increases or decreases annually, as the amount imported and received from our own mines exceeds or falls short of the amount exported; and it further assumes that the gold and silver brought in by immigrants and others and not reported, and that entering overland from Mexico, would balance the amounts clandestinely exported, as well as the amount consumed in manufactures and the annual loss by abrasion.

But if the increase had been double the estimated amount, the banks would very certainly have extended their issues and credits in proportion. Their reserve of specie had increased but seventeen millions, and they had added one hundred millions to the one hundred and fourteen and three-quarter millions of their circulating paper out in 1849, and expanded their loans and discounts from three hundred and thirty-two and a third millions to six hundred and eighty-four and a half millions. In September and October they suspended specie payments, and in about three months contracted their circulation from two hundred and fifteen to one hundred and fifty-five millions, and reduced their loans to five hundred and eighty-three millions; a reduction of the former of twenty-eight and a half per cent., which was followed by a general fall of prices during the twelve months ensuing, averaging twenty-five per cent. The solvent banks resumed specie payments early in 1858, after creating such stringency in the

money market as so great a reduction of currency and bank credits must necessarily occasion. Among the facts which marked the revulsion and showed its extent was the diminished consumption of foreign merchandise. In the twelve months ending three months before the suspension, the foreign imports entered for consumption amounted to three hundred and thirty-seven millions; in the twelve months immediately succeeding, they fell off to one hundred and ninety-three millions—the average consumption *per capita* falling from \$11.81 in the former year to \$6.57 in the latter, a reduction of over forty-four per cent.

Enough has been said to exhibit fully the fluctuations of our bank issues in amount, the cost of exchange between the principal business marts of the country, the frequent convulsions in mercantile affairs, and the mischief wrought by the rapid inflations and reductions of market prices, marking the whole history of our state banking system. It must not, however, be inferred from the exclusion of other agencies in this brief historical notice, that the banks are to be regarded as the sole or primal causes of our business catastrophes. It would be easy to show that, in the groups of years covered by our monetary convulsions, the varying amounts of foreign imports for domestic consumption have borne a determinate ratio to the bank circulation, increasing and decreasing together. Not in exact proportion, indeed, for in some years the bank circulation increased more than the imports, and in some, particularly at the times of the severest collapses, the bank circulation fell lower than the imports. But this variance is explained by the exigencies of the case, and an absolute dependence and reciprocity is well proved. For certain reasons, it is probable that the excessive imports were always at the bottom of the mischief, but the bank inflations invariably answered like an echo and gave the mischief its effect by enlarging the credit system and stimulating speculative expansion of the banks till they bursted. It is for this fellowship in mischief with all speculative overtrading that they are here arraigned; and for this offence the array of facts has been given; for partners in crime are not the less culpable for being what lawyers call accessories after the fact, or merely secondary in point of time, but active in the conspiracy and equally effective in participation.

It will be observed that we have only attempted to exhibit somewhat in relief the critical changes which have marked the diseased movements of the system. These have occurred

with the periodical constancy and regularity of chill and fever, with the intermissions filled with nervous tremors, as mischievous as the paroxysms themselves. The "panics" and "squalls of the money market" have been incessant, and only a little less remarkable than the revulsions; just as "sickly seasons" are less alarming than the sudden visitation of the Asiatic cholera, though their victims even outnumber those of the more violent scourge.

Statisticians are accustomed to measure the relative supply of currency at different periods by its average proportion to the total population; but population is the most uncertain of all measurements of demand for money. The amount of commercial exchanges would be a better basis, for it would at least be occupied with the subject matter of payments. But the amount of exchanges cannot be inferred with any tolerable certainty from the value of the products or commodities supplied to the market in any given period. The exchanges are sometimes very rapid and sometimes very slow. And further, if the amount of values in exchange could be ascertained, the amount of money required for payments is not thereby determinable. In the proportion that business is better organized less money is required, payments being then effected more largely by set-off; of which the clearings of bank debts among themselves, showing something under five per cent. to be the usual balances, is an example. The same or similar processes are conducted by individual banks and bankers for their respective customers, dispensing with money in any form to the extent that mutual debts and credits are balanced for them.

The aggregate value of the imports and exports of Great Britain and Ireland in the year 1840, was one hundred and thirty-eight millions of pounds (£138,000,000) in 1858 they had risen to two hundred and eighty-one millions, an increase in eighteen years of one hundred and three per cent. In 1840 the total paper money of the United Kingdom was thirty-five millions of pounds; in 1858, thirty-eight millions, an increase of only eight and three-fourths per cent.

A larger proportion of money to values exchanged is necessarily employed in the United States, but the total amount required is not in any proportion to the population, for here the mode of payment by set-off or clearing is rapidly advancing, scarcely requiring money payments to be increased at all in any normal increase of business. Considerable enhancement of the value of paper currency in time of peace always

means excess, and always and quickly heretofore has been followed by commercial disturbances.

The true measure is the actual demand for money service in the legitimate business of the country. When bank credits take the form of currency beyond this point, excess exists. This measure, however, varies with changed conditions. Since the commencement of the rebellion, with its vast increase of business activity in the loyal states, cash payments have prevailed and credits have been nearly abandoned, and we have seen at several periods a scarcity of currency, although four hundred and fifty millions of government currency, with a large amount of other securities in use as money, were added to the usual amount of state bank paper in circulation.

The best apprehension of this great reform of our monetary system, now so well advanced towards its completion, may be had by looking at it in the circumstances in which it was projected. The finances of the Federal Government fell into the hands of Secretary Chase on the 7th of April, 1861. The South was then in a state of insurrection, and the Union on the eve of dissolution. The mere apprehension of these troubles had, months before, so far affected the financial character of the Union that of a loan of ten millions, negotiated by Mr. Cobb, in October, 1860, but seven million twenty-two thousand had been paid into the treasury, the subscribers of two million nine hundred and seventy-eight thousand choosing rather to forfeit their preliminary deposits than accept the stock with the impending risk. Nearly ten millions of treasury notes had been issued in December, 1860, and January, 1861, at varying rates, from six to twelve per cent. interest per annum; six and one-quarter millions of the amount at eleven and twelve, and three and one-quarter millions at ten, ten and one-fourth, ten and one-half, and ten and three-fourths per cent.; and Mr. Secretary Dix sold a loan of eight millions in February, 1861, at an average discount of nine and one-half per cent.

These were but the first symptoms of the storm that broke upon the finances of the country soon after the induction of Mr. Chase. The fall of Fort Sumter, the call of the President for seventy-five thousand troops, the riot at Baltimore, the seizure of forts, arsenals, ship-yards, and sub-treasuries all over the South, the secession of state after state, and the actual commencement of civil war, followed in quick succession.

The effect upon government credit is indicated by the history of the loans offered at this time by the Secretary. For an eight million, twenty year loan at six per cent., put upon the market on the 22d of March, bids were received on the 2d of April, eleven days before the fall of Fort Sumter, ranging from ninety to ninety-five on the hundred. The Secretary refused all below ninety-four, and accepted three millions and ninety-nine thousand, at an average discount of a shade less than six per cent. On May 25th, the bids for a twenty year loan at six per cent. of eight million nine hundred and ninety-four thousand were accepted for seven million three hundred and ten thousand of the amount, at various rates of discount, averaging upon the whole 14.65 per cent.

Congress was convened in extra session on the 4th of July. It authorized loans to the amount of two hundred and fifty millions, and adopted nearly all amendments to the customs tariff recommended by the Secretary, besides passing an act laying a direct tax, which, however, yielded less than two millions in the current fiscal year.

The actual expenditure of that year, ending June 30th, 1862, is now ascertained to have been \$570,841,700. The receipts from all sources were \$583,885,247, of which aggregate the receipts from loans, treasury notes, and other evidences of debt issued by the treasury, amounted to \$529,692,460.

The expenditures of every loyal state were at the same time greatly enhanced, and the fiscal year opened with the disaster of Manassas on the 21st of July. A succession of military reverses during several ensuing months, but above all the sluggishness of the war, and consequent disappointment of the expectation that the rebellion would be extinguished in a single campaign, could not fail to press heavily upon the credit of the government.

The money power of England displayed its distrust or its unfriendliness in advance. The London *Times* declared that loans, which Mr. Chase had not asked, would be refused. Loans at home seemed just then scarcely adequate if the money market were emptied bodily into the treasury. All the causes which affect the price and the negotiability of government stocks were operating in their greatest force. The borrower was a nation rent in twain, with a rebellion on its hands in unexpected strength, and without any certain, much less early, adjustment in prospect. The system of short treasury notes had been carried to the limit of

prudence and availability, and the banks and dealers in capital could not be relied upon for all the demands of the exigency. The associated banks of New York, Boston, and Philadelphia were able to advance, between August and December, one hundred and fifty millions, having been in the meantime reimbursed more than half the amount from the proceeds of the popular subscriptions to the famous seventy-three loan. But their aggregate capital did not exceed one hundred and fifteen millions. At this time the aggregate circulation of the banks in the loyal states was but one hundred and thirty millions, and their capital three hundred and twenty-seven millions, and the prospective loans for the year required by the treasury were certainly above five hundred millions, with a possible, and since become an actual requirement of similar loans in the fiscal year 1863, to the extent of five hundred and ninety-five millions, and in 1864 six hundred millions more.

Fronting this necessity, Mr. Chase resolved that he would not repeat the experiment of 1812, when the treasury undertook to carry on a war upon state bank issues. Pending the negotiation of loans and advances in August, 1861, the banks required, as conditions upon which they would give the relief required, in that darkest day of financial difficulty : 1st, That no treasury demand notes should be issued ; 2d, That the Secretary should draw upon them for the proceeds of the loans and advances directly—thus making them the disbursing agents or paymasters of the treasury, with the power to use their own or other paper currency in payment. The Secretary firmly refused both conditions, on the ground that United States notes must be as good as those of the banks, having the nation's faith and resources pledged for their redemption, and on the further ground that he could not permit the nation's credit and its creditors' interests to pass into hands which he could not control. The banks yielded, and they owe their solvency now to the policy accepted then. The United States notes which he afterwards issued he protected from a relative depreciation by refusing to suspend specie payments at the treasury until after the banks had ceased to redeem their notes ; and when the banks afterwards refused to receive the government demand notes, he appealed to Congress, the legal-tender act was passed, and thereupon the banks first agreed to receive and pay them in settlement of clearing-house balances, and long since have learned to hold them at a

higher value than any of the corporation issues of the country.

It was in the midst of this great struggle that he devised and set on foot his revolution of the banking system. Institutions which never did regulate the monetary system, never met the requirements of a circulating medium, even in time of peace, and were absolutely incapable of anything but mischief in time of war, were thenceforth only to be tolerated until they could be thoroughly reformed.

As early as December 9th, 1861, in his first annual report to Congress, he broached his scheme, by reviving the opinion of eminent statesmen, that the emission of banknotes under state authorities fell within the spirit, if not within the letter, of that provision of the Federal constitution which prohibits the emission of bills of credit by the states; but not intending then to attempt a compulsory, and at the same time a sudden and violent withdrawal of their circulation, he contented himself with affirming the authority of Congress to control the credit circulation of the country under its constitutional power to lay taxes, regulate domestic commerce and the value of coin, and declared that in his judgment the time had come when Congress should exercise this authority.

The occasion for trying the constitutional question presented itself in July, 1862. Specie had risen to a premium of twenty per cent., and small change in coin was out of circulation. A fractional currency must be supplied, and Congress authorized an issue by the treasury to meet the want; but the state banks, city and borough corporations, and all manner of institutions were about to flood the country, as in former times, with unlimited quantities of such paper. The Secretary tried the great question by procuring the enactment of a federal law inhibiting such issues by state banks, corporations, or individuals, upon penalty of a heavy fine or imprisonment, or both, at the discretion of the United States courts, in which the parties should be convicted. The rival authorities and competitive interests submitted. The Federal power was thus asserted on the point involved, the principle got a foothold, and a large advance was made towards the ultimate and complete reclamation of the Federal control over the whole currency of the nation.

In December, 1861, the treasury had put into circulation upwards of twenty-four millions of demand notes, and the Secretary contemplated such further increase of them as disbursements in that form might be safely made, provid-

ing a temporary loan for their withdrawal at such times and to such extent as they might be in excess, and their restoration to the channels of business when they might be required; but the issue of these notes, and especially the extent to which, under the pressure of necessity, he afterwards availed himself of their service, must not be taken to indicate his policy, either of a system of currency for the use of the community, or even as a regular fiscal measure of the treasury.

Congress did not enact the law establishing Mr. Chase's national banking system until February, 1863. In the meantime the treasury demand notes (commonly called greenbacks) had worked so well, though outstanding to the amount of three hundred millions, that Congress and the public were strongly inclined to the plan of substituting them as a currency for that of the state banks. Their uniform value throughout the country, and the unquestionable security of their ultimate redemption, gave them such preference in the community; and the relief of the nation from the amount of interest that any other form of public debt must bear, commended with equal strength such a substitution to the government. But the Secretary from the first day of their issue had never been blind to the hazard and the incapacity of this plan of replacing the state banks of issue, discount, and deposit. As a necessity, and therefore as a duty, he employed this form of currency, but took care, both in his official reports and in his conferences with the associated banks, to treat it merely as a device for "bridging over" the interval between the old system with its evils, and that which he recommended for their avoidance in the future. He knew and said then, what experience has since proved, that a government currency has no power, either as preventive or corrective, to remedy the disorders of the money market, induced by causes over which it has no control. And it was just as clear, or more so, that a national treasury cannot be converted into a bank of discount or a bank of deposit, in the way that such institutions are serviceable to the public. Its nearest possible approach to the requirement is that it can act as a bank of issue, while the public expenditure exceeds its revenue, and to the extent of such excess; fluctuating necessarily with all changes of fiscal condition in the exchequer, and losing its functions utterly so soon as the exchequer begins to pay off its debts. All that he intended by his United States note system, and all

that he expected from it, moreover all that he feared from it, was clearly stated from the beginning, and it was to guard against its hazards, and possible abuse, that he early and persistently struggled for the establishment of something very different from a national bank, to wit: a national *banking system*. Not a creature of the government, but an agency of the people; not a paper-money factory of the Federal government, but a form or frame-work through which the capital of the people may be employed in their service, under their own guidance, freely, except as it should be overruled for the greatest safety and best uses of industry and commerce. The general features of this system are, in the Secretary's own words:

"1. A circulation of notes bearing a common impression and authenticated by a common authority.

"2. The redemption of these notes by the associations and institutions to which they may be delivered for issue.

"3. The security of their redemption by the pledge of United States stocks, and an adequate provision of specie.

"In other words, a plan for the preparation and delivery to institutions and associations, of notes prepared for circulation under national direction, and secured, as to prompt convertibility into coin, by the pledge of the United States bonds, and by other needful regulations."

The chief distinctive features of this national currency system, as it now stands under the amendatory act of June, 1864, will be seen in the following provisions: A currency bureau is established in the treasury department. Its chief officer is a comptroller under the general direction of the Secretary of the Treasury. He is appointed for the term of five years by the President and Senate. Banking associations may be formed under it by any number of persons not less than five, and they must file their articles of association in the office of the comptroller, embracing the name of the association; the place where its operations of discount and deposit are to be carried on; the amount of capital stock and the number of shares into which it is divided; the names and places of residence of its shareholders, and the number of shares held by each of them.

No association can be organized with a less capital than \$100,000, nor in a city where the population exceeds fifty thousand persons, with a less capital than \$200,000, except that banks may be formed under special approval of the Secretary, with a capital of not less than \$50,000, in any

place where the population does not exceed six thousand inhabitants.

Upon compliance with all the requirements of the act, corporate powers are granted for the term of twenty years to carry on the business of banking by discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debt; by receiving deposits; buying and selling exchange, coin, and bullion; loaning money on personal security, and by obtaining, issuing, and circulating notes according to the provisions of the act.

These associations are authorized to organize their boards of directors, properly qualified, and to make such by-laws for their government as are conformable to the law. Each shareholder in elections has one vote either in person or by proxy, for each share of stock held by him.

The capital stock is divided into shares of \$100 each. These shares with all their incidental rights are assignable, and each shareholder is liable to the extent of the par value of his stock, in addition to the amount invested in such shares, for all contracts, debts, and engagements of the association.

At least fifty per cent. of the capital must be paid in before business can be commenced, and the remainder must be paid in instalments of ten per cent. monthly; after such authorization, the payment of each instalment to be certified to the comptroller, under oath of the president or cashier of the association. All these and other necessary provisions are enforced by the ultimate penalty of appointing a receiver to close up the business of the delinquent association.

Having complied with all preliminary requirements, and before commencing banking business, the association must transfer and deliver to the Treasurer of the United States, United States registered bonds, bearing interest to an amount not less than \$30,000, nor less than one-third of the capital stock paid in, increasing such deposit of bonds, as the capital shall be paid up or increased, to the amount of at least one-third of its capital; and any bank may reduce its capital or close up its business by returning to the comptroller the circulating notes issued upon the pledge of such bonds, the bonds pledged to be assigned to the Treasurer of the United States in trust for the association. The interest accruing upon the deposited bonds, is payable to the bank owning them, while it continues to redeem its circulating notes; and if the bonds fall in the market below the amount of the circulation issued for them, the depreciation must be made

up by the bank in other bonds of the United States at their cash value, or in money.

Upon such transfer and delivery of United States bonds the comptroller shall deliver to the bank such quantity of circulating notes, prepared in the treasury department, of various denominations, from one to one thousand dollars, as shall be equal in amount to ninety per cent. of the market value of the bonds so pledged. These notes, all signed by the treasurer and register of the treasury, bear the imprint of the seal of the treasury, and express upon their face the promise of the bank to pay their amount on demand, to be attested by the signature of the president or vice-president, and cashier of the bank receiving them; and it is further provided that not more than one-sixth part of the notes furnished to an association shall be of a less denomination than five dollars, and after specie payments shall be resumed, no association shall be furnished with notes of a less denomination than five dollars.

Such notes, after being signed in such manner as to make them obligatory promissory notes, payable on demand at the place of business of the bank, may be issued and circulated as money, and they shall be received at par in all parts of the United States in payment of taxes, excises, public lands, and all other dues to the United States, except for duties on imports, and shall also be receivable for all salaries and other debts of the United States, except interest on the public debt, and in redemption of the national currency, or United States notes. And no such association shall issue post notes, or any other notes, to circulate as money, than such as are prepared in the treasury and furnished for its issue.

Associations are restricted in the right to hold, purchase, or convey any real estate, other than such as may be necessary for the accommodation of its proper banking business, and such as may be mortgaged, conveyed, or purchased in security or satisfaction of debts; nor can they hold any real estate so conveyed, mortgaged, or purchased, for a longer period than five years.

The rate of interest and discount is not to exceed the legal rate of the state or territory where the bank is located, and in any state where the rate is not fixed by law, the association shall not charge more than seven per cent. per annum, under penalty of forfeiting the entire interest so charged, or double the amount to any party having paid such excessive interest.

Nineteen cities are named in which all associations not therein located, shall redeem their circulating notes at par, and each association in the cities named, shall designate an association in the city of New York, at which it will redeem its notes at par, the selection to be made in all cases with the approbation of the comptroller, of which public notice is to be given. Every association formed under this act, must receive at par, for any debt or demand, any and all bills or notes issued by any association existing by virtue of this act. Failure to redeem at the designated place of redemption, works a forfeiture of the banking privileges, and a receiver shall be appointed to close the business of the delinquent association.

The associations in the nineteen designated cities are required to have on hand at all times an amount of lawful money, at least equal to twenty-five per cent. of their circulating notes and deposits, and every other association is required to have on hand at least fifteen per cent. of its circulation and deposits.

Quarterly reports are required in a form prescribed by the comptroller, exhibiting in detail the resources and liabilities of each association before commencing business on the morning of the first Monday of the months of January, April, July, and October, and also monthly statements of the average amount of loans and discounts, specie, other lawful money of the United States, deposits, and circulation, and the amount due to the bank available for the redemption of its circulation at the designated place of redemption.

The expense of printing the circulating notes, and other expenses incurred in executing the provisions of the act, to be paid out of taxes and duties assessed upon the circulation of the association—each association to pay, in the months of January and July, a duty of one-half of one per cent. on the average amount of its notes in circulation, one-quarter of one per cent. each half-year upon the average amount of its deposits, and one-quarter of one per cent each half-year on the average amount of its capital stock beyond the amount invested in United States bonds.

The shares are taxable by the states as personal property, and the real estate held by the associations is taxable by states, counties and cities where located. The total amount of circulating notes to be issued under the act, shall not exceed three hundred millions of dollars.

Associations going into liquidation voluntarily, may, after

one year's public notice, pay into the treasury, in money, the amount of their outstanding circulating notes, and take up their pledged bonds—thereafter the treasury shall redeem and cancel such notes.

Associations failing to redeem their notes in lawful money on presentation at their places of business, or places of redemption, their notes may be protested for non-payment. Thereupon, they shall not pay out any of their notes, discount any notes or bills, or otherwise prosecute the business of banking, except to receive money belonging to them, and deliver special deposits. The comptroller being satisfied of their failure to pay their circulating notes, shall, within thirty days, declare the pledged bonds forfeited, and give public notice to the holders of their notes to present them at the treasury for payment; and upon payment the comptroller shall cancel their equivalent value of the bonds. For any deficiency in the market value of such bonds, the government shall have a prior lien on the assets of the association; and the comptroller in case of such depreciation shall sell the bonds at public auction in New York, and apply the proceeds. For further assurance of the comptroller as to the condition of these associations, he may at his pleasure appoint a visitor to examine and report to him upon all the matters embraced in the act establishing the national currency system. Any existing state bank may become a national association under the act, upon application of the holders of two-thirds of its capital stock. The shares of such bank, after its organization under the Federal act, shall continue of the same amount as before conversion, and the existing officers shall continue until others are elected or appointed under the provisions of the act.

All associations under the act, when designated for that purpose by the Secretary of the Treasury, shall be depositories of public money, except receipts from customs; and may be employed as financial agents of the government, and shall perform such duties as may be required of them as financial agents. All associations designated as depositories shall receive at par all national currency bills, by whatever association issued, and paid to the government for internal revenue, loans or stocks.

It is easily seen in the provisions of this act, that its central idea is the establishment of one sound, uniform circulation, of equal value throughout the country, resting upon the foundation of national credit combined with pri-

vate capital; intended to effect a transition from a currency heterogeneous, unequal and unsafe, to one uniform, equal and safe, providing an effectual safeguard, if effectual safeguard is possible, against depreciation, and affording complete protection against losses in discounts and exchanges—losses which, under the old system, amounted to probably half the nominal value of the currency issued under it in the last fifty years. The scheme takes no special care of depositors, or other dealers with the banks, but rather takes care that they shall have no power to lessen the ability of the banks to meet fully and promptly the obligations which they contract with the note-holders.

A revolution such as this, springing from an exigency of our great war for the preservation of the Union, will in the next half-century reimburse to the public wealth the whole cost of the strife of arms. The system has, besides, a force to bind the Union together in future, beyond all estimation in value. Every banking association having its bonds deposited in the treasury of the Federal Government, every individual who holds a dollar of the circulation secured by such deposit, and every man whose business success depends upon the credit of that circulation, will be pledged thereby to the maintenance of the national unity. Whatever there is of cohesive power in a public debt, will thus be distributed upon the entire population, in corroboration of all other motives for universal loyalty. Incidental to these higher services, there is also provided by it the happiest adaptation of fiscal agencies that can be imagined in a country of such vast extent of territory, and variety of financial relations with the central government.

The vast range and value of the services provided for in the new system, are, of necessity, as yet, but inductions and expectations. It is responsible for none of the existing disorders of the currency, and its power to remedy them cannot be fairly or fully tested until it has exclusive possession of the field. The aggregate capital which it commands, and the total amount of its circulation, are vastly less than those of the state banks and the government currency, which are still counterworking its agencies; but it has already demonstrated its working power as a mere banking policy. The official reports of the comptroller of the currency, show the following facts:

The first national bank was organized in June, 1863. On the 18th of March, 1865, there were in operation, 908,

with an aggregate capital of \$202,844,486. The total circulation furnished by the bureau for their issues, was \$104,750,540. Of the aggregate capital, three-fourths belongs to former state corporations converted into national associations.

These 908 national banks are located in twenty-seven states and territories—in every loyal region of the Union. Three hundred and twenty-four of them have been organized since the 25th of November, 1864, or in less than four months; at least nine-tenths of these being conversions of state corporations.

The reluctance and resistance of the state banks began to give way in July, 1864. In October, immediately before the re-election of Mr. Lincoln, the result of the political canvass being foreseen, the Philadelphia banks commenced the change, and in November they were all converted. The larger part of the Boston banks yielded about the same time, and now the comptroller describes the applications of the state banks all over the country, as a rush that promises an immediate and universal adoption of the new policy.

The system was born of the rebellion; it has grown in sympathy with, and in dependence upon, the growing success of the Federal arms. Under the auspices of our present able Secretary, it is certain to be matured with the recovered authority of the government of the Union. Mr. McCulloch is entitled to much more credit for the advantages accruing from our present excellent banking system, and the universal confidence with which it has been received, than the public is aware; for he is not a politician or office-seeker, but an unostentatious, thoughtful, business man, whose only care is his duty, and whom the study of years and ample practical experience have made well nigh perfect in the philosophy of currency.

- ART. IV.—1. *Cowen's Reports*. Vol. vii. Albany, 1828.
2. *Wendell's Reports*. Vols. ii. and xiv. Albany, 1829, 1837.
3. *New York Reports*. Vols. xv., xx., xxiii., xxiv., xxv. New York, 1858, 1863.
4. *Howard's Reports*. Vol. x. Boston, 1851.
5. *Howard's Reports*. Vol. xix. Washington, 1857.
6. *Debates, New York State Convention*. Albany, 1846.
7. *Forrest Divorce Case*. 2 vols. New York, 1863.

WHEN the legal profession maintains its rightful character, it is worthy of the highest honor; and that distinction is freely accorded to it in every civilized country. To show that this is founded in reason and justice, needs no elaborate arguments. None possess more knowledge than lawyers who are properly qualified for their calling; none understand human nature better, and but few can reason so well; in short, an advocate worthy of the name, is a veritable philosopher. It matters little how he attains this standard, None value the classic languages as a means of acquiring knowledge more highly than we; but we do not hold that they are the only means, or that the mind cannot be well trained, and the intellect developed and invigorated, without them. We value them chiefly for the aid they afford in securing those results, for although they cost much time in their study they save much more in other respects. Thus, if we meet two men whose minds are equally well stored and cultivated, one acquainted with the classic languages, the other only with the vernacular, we do not hesitate to conclude that the latter has labored harder than the former, and is entitled to more credit for having surmounted serious obstacles. The natural inference is that if he had the advantages of the former he would attain to greater eminence.

We make these remarks in reply to those who maintain that the legal profession in America cannot boast as many great names as that of any of the principal countries of Europe, because in the former the study of the classic languages is insisted on as a necessary qualification, whereas in the latter the student need learn no more Latin or Greek than merely the technical expressions used in the profession. That this allegation has considerable weight we cannot deny, since it

does not follow that if one or two, or half a dozen, are capable of triumphing over disadvantages, the generality can do so. We are by no means certain, however, that this is the chief cause of certain characteristics of the New York bar, which none denounce or deplore more than leading members of the profession; yet we cannot overlook the influence of the classics in producing studious habits; and there never was a good advocate yet who was not studious. This brings us to the great difficulty of the present day, namely, that nine-tenths of our large army of lawyers never study in any proper sense of the term. Whatever is the cause of this is also the cause of the degeneracy complained of. To this we are to attribute the large proportion of the profession who devote themselves to the lowest unprofessional drudgery. But our object on the present occasion is to show how eminence is attained; not to point out abuses which unhappily are too obvious.

The high esteem enjoyed by lawyers, as we have said, is not that novelty which it is generally supposed to be. Wherever a high degree of civilization has existed, the profession of an advocate has been highly honorable and profitable. If we regard Demosthenes as a representative of the Athenian bar, and Cicero as a representative of the Roman bar, as we are bound to do, what opinion must we form of the state of the profession in each country? That both practised as lawyers in the modern sense of the expression, is beyond question. No people had a finer or more complete system of laws than the Athenians; and next to them in that distinction were the Romans. Both conferred the highest honors on their lawyers; hence it was that the opposition of Demosthenes to Philip was deemed more powerful than that of an army with the most formidable military weapons, and that Cicero was made consul.

On the downfall of the Roman empire jurisprudence suffered like every other science; during the dark ages the Greek or Roman system was scarcely known. It revived gradually with the revival of letters. Until the latter were cultivated to some extent, the lawyers were ignorant; as learning improved so did the lawyers. Hence the common mistake that the benighted ancients had no trained advocates like those we have at the present day.

The country that can boast the first organization of a legal profession after the downfall of Rome is France. There are satisfactory reasons for this. Even while Rome was

mistress of the world, Gaul furnished her many of her best lawyers; so that she received the title of the nurse of advocates (*nutricula causidicorum*). Nor did she furnish lawyers to the Romans alone. "Eloquent Gaul," says Juvenal, "has taught the Britons to become pleaders:"

"Gallia causidicos docuit facunda Britannos."*

And what the Gauls did for ancient Britain as well as for Rome, their kinsmen the Normans did for modern England. Any respectable English history will tell us that the law language of England was Norman-French for centuries, from the time of William the Conqueror to that of Edward III. For the greater part of this long period the majority of the lawyers and nearly all the judges were French. Even after the statute of Edward against the further use of the French as the law language of the country, the lawyers continued to use it in taking their notes, and in their public reports, for nearly a century. And be it remembered that the technical language substituted for the Norman-French, and which was in use for four centuries, was the law Latin, a dialect formed by the same people; that is, the latter was quite as much Celtic as the former. Thus it is that, let us look in what direction we may, we shall find ourselves much more indebted to the Celts, especially in all matters pertaining to jurisprudence and eloquence, than most of us would be willing to admit; although there is no good reason why any of us should deny the fact. Even the Magna Charta was the work of the Norman barons and Norman clergy.

Since it is thus evident that under one name or another the Gauls have in all ages exercised a powerful influence on our jurisprudence, it will not be irrelevant to take a rapid glance at the rise and progress of the profession in France, especially as the principal subject of our present article belongs to that race, and is distinguished by several of the leading traits—foibles, perhaps, as well as virtues—for which all respectable historians, from Cæsar to Thierry, readily give them credit. The earliest public documents of any importance we find in the archives of France are the capitularies of Charlemagne, which show that there were lawyers of no mean pretensions even at that early age; and we find them possessing names identical with those discharging similar duties in ancient Rome, namely, *causidici clamatores, jurisconsulti tutores, actores, &c.* Advocates (*avocats*) practised regularly at

all the courts so early as the beginning of the thirteenth century; and Beaumanoir, who gives us their history, informs us that the judges were empowered by law to exclude from their tribunals all who did not possess the prescribed amount of talent and learning.* It was, however, a power which they seldom had to exercise, for the reason that the clergy, who had then nearly all the learning to themselves, were the only persons empowered to act as advocates. That this had a salutary effect on the administration of the law, in England as well as in France, is admitted even by the most violent of the Huguenot writers. But the Church thought it did not do so well for the cause of religion, and accordingly the Council of Lateran interdicted all priests from taking part in any judicial proceedings before lay tribunals. Not long after it was found necessary to promulgate an ordinance requiring lawyers to be *courteous, truthful, and disinterested*; and none were admitted to plead until they swore that they would conduct themselves as prescribed. This was scarcely a month in operation when a similar ordinance was passed in England; and it was soon after followed by yet another in both countries, which enjoined that no lawyer should abandon a case, in which he had engaged to plead, on account of his not receiving as large a fee as he required. So much had the profession improved at the close of the fourteenth century, that its members belonged almost exclusively to the nobility; and it constituted an order from which were recruited all the principal offices of the kingdom, parliamentary as well as judicial. The careful student of English history need not be informed that it was not long after when lawyers began to obtain similar positions in England; and hence it was that men like Bacon began to turn their attention to the law; and that, since his time, the bench and the bar have been adorned by such jurists as Blackstone, Lyttleton, Coke, Eldon, Mansfield, &c., &c.

We see even from these few passing remarks what a noble prestige is that of the legal profession. It is because so few appreciate it in this light that so few attain eminence. The large majority devote themselves to the law with no higher motive than to secure a livelihood. Nor can we blame them for this on reflection, since it requires genius to grasp the subject in all its bearings. One may be a useful lawyer without being able to comprehend how brilliant are

* An ordinance promulgated by Philippe le Bel, in 1299, contained these words to that effect: *Ad patrocinandum non receptatis.*

the results which talent, ability, and perseverance are sure to accomplish in the profession ; or if he can comprehend it, he may be conscious that he himself lacks the necessary qualifications. If we see one who is capable of realizing what the profession really is, but feels himself surrounded by a thousand difficulties, and yet has the courage not only to aim at eminence, but to persist in seeking it, through evil report and good report, in defiance of all opposition, we are perfectly justified in predicting that he will ultimately succeed ; and when he does so he enables us to learn a useful and valuable lesson.

It is for the latter reason that we have chosen as the subject of our present article, Mr. Charles O'Connor, whom we regard not only as the most distinguished representative of this class now living, but also as the most distinguished representative of the New York bar. We address ourselves to this subject as we do to a book or an author, to a system of government or to the country to which it belongs—for the purpose of learning from it whatever we can for the gratification of our readers. We do not speak of him as a personal friend ; nay, we can scarcely do so as an acquaintance, since we have never had an interview with him in public or private but once. Nor have we ever sought to avail ourselves of his legal knowledge ; and we trust we shall have as little need for it in the future as we have had in the past. These remarks we think it fair to make, although our readers are aware that it is not our habit to make living men, however distinguished, the subjects of papers in the body of our journal. The only other living jurist on whom we have written an elaborate paper is Lord Brougham, ex-High Chancellor of England, and even this was contributed to another periodical at the request of its editor. Those who know us need not be informed that the political opinions of Mr. O'Connor have had no influence in attracting us. None disagree with him more than we on the subject of slavery. We hold his views upon it as radically wrong, not to use any harsher expression. But we are not of those who find no merit in any one who is opposed to their own cherished opinions. Besides, it is not as a politician we mean to consider O'Connor, but as an advocate ; if we did otherwise we should do him injustice, for he cannot be regarded as a politician ; he has never been one to any further extent than to give expression to his opinions like other citizens, when called upon by his friends to do so. In one point of view this sim-

plifies our task very much; for there is scarcely any difference of opinion as to his being the ablest and most successful advocate at the New York bar. In the estimation of all disinterested persons, at home and abroad, who are capable of judging, he has occupied this proud rank for the last twenty years. That there are other able lawyers at the present day far be it from us to deny, nor do we deny that there are those whom some regard as equal, if not superior, to him; but we think we are correct as to the general estimate of his talents.

Now, before making any comment on his speeches, or his mode of conducting a case, we will glance at the obstacles against which he had to contend in early life, so that the young and friendless may be encouraged by his success in surmounting them. Even physical labor is valued according to the difficulties by which it is surrounded; before we can determine whether a traveller has acquitted himself well or ill, in performing a journey of a hundred miles in a given time, it is necessary to know the character of the road over which he has had to travel. We therefore give the following brief outline of the early life of Mr. O'Connor, from facts collected from various sources: His father came to this country from Ireland at the beginning of the present century. Although belonging to the O'Connor Don family, whose lineal descent from the last of the Irish kings is beyond dispute,* he was an enthusiastic republican; he was also an uncompromising opponent to British domination; and another prominent feature in his character was his devotion to the Catholic religion. He inherited a handsome property from his father; but being much more charitable than prudent, he was not long in this country when he lost all, and was reduced to extreme poverty. This prevented him from securing for his son that

* Intellectually, also, the same family has been honorably distinguished. Charles O'Connor, who was born in 1710, and who died in 1791, was so eminent an antiquary that he enjoyed the friendship of Dr. Johnson, Dr. Leland, Lord Lyttleton, and several other learned men of that brilliant epoch. His grandson, Dr. Charles O'Connor, brother of the late O'Connor Don, ranks among the most distinguished antiquaries of the present century. He is the author of several works, which exhibit much learning and research. There are none of the principal libraries of Europe in which the following are not to be found: *A Narrative of the most interesting Events in Modern Irish History*, 8vo.; *Rerum Hibernicarum, Scriptores Veteres*, 4 vols. 4to., in Latin; *The Letters of Columbanus*, 2 vols. 8vo.; *Bibliotheca MS. Stowensis*, 2 vols. 4to. The literary tastes of the family, combined with its ancient royal lineage, have rendered it a favorite subject for the poets both at home and abroad; thus it is, for example, that one of Campbell's finest effusions is, "*O'Connor's Child, or the Flower of Love lies bleeding*."

liberal education which it was always his ambition that he should receive. His wife was very different from himself; very much his superior both intellectually and morally; and it was she who had most influence on the future advocate. But she died in 1816, when he was but a mere boy. Her good precepts had their effects, however. Young Charley learned all he could where he could. At school he learned the primary English branches; his father gave him instructions in Latin, and also managed to procure some lessons for him in French. The rest the young student did for himself, although his resources were such as scarcely to afford him a book to learn from, and in 1824 he was admitted to the bar.

The first lawyer with whom he studied is described as "a dreadfully intemperate little West Indian, named Lemoine, who had no regular practice." His next instructor was Joseph D. Fay, whose chief recommendation was not that he knew much about law, or had much practice, but that he had a few good books. O'Connor made the most of these, and of all others belonging to his profession of which he could obtain the use for love or money. It is said that while thus struggling with poverty and its concomitants, he was as proud as a millionaire; but pride is not so reprehensible a feeling as it is generally represented; however, we mean that sort of pride which prevents its possessor from being guilty of a dishonorable action, and which prompts him to be truthful and honest.

In illustration of our remark that Mr. O'Connor is no politician, we will observe, in passing, that, with the exception of serving a summer in the New York Constitutional Convention of 1864, and holding the office of district attorney for some fifteen months, at the request of Franklin Pierce, until he could find a suitable person, he has never held any public office. His friends argue that he has no vanity, or no desire for notoriety, from the fact that he has never lectured, or spoken extemporaneously on any literary, scientific, or professional subject; and that, except in two or three instances, he has never made a public exhibition of himself but with pain and reluctance. We must accept the argument as a cogent one; for although, as already observed, we have never conversed with Mr. O'Connor but once, we parted with him fully satisfied that there are few if any professional men better qualified to deliver an instructive lecture, or an eloquent and interesting extempore address.

We have met with no one on either side of the Atlantic

whose conversational powers seemed to us superior to his, or whose mind seemed better trained, or more analytical. His language is easy, forcible, brilliant, and accurate; and yet he is quite as willing to listen as he is to speak. He is now over sixty years of age, having been born in 1804; his hair and whiskers are entirely grey; his face is pale, but it is more the paleness of thought than of years. At all events, no sooner does he become interested in conversation than his whole countenance brightens, and it is not unfrequently as expressive of his thoughts as his most eloquent periods. Although generally fair and just in his criticisms on men, without betraying the least tinge of envy or jealousy, it is easy to see that he is strong, if not implacable, in his resentments; that keen, grey eye, and thin, compressed lip, with a certain peculiar twitching at the corner of the mouth, reveal this fact, and at the same time remind us of some of the most characteristic descriptions of the ancient Celts.*

It is admitted by all that among the most prominent traits in his character are stern integrity, and a high sense of honor. Although said to be devoid of ambition, no one works harder to avoid defeat than Mr. O'Connor; or perhaps it would be more correct to say that no one exerts himself better or more fearlessly to vindicate his client. Hence it is that one who knows him well, describes his preparations as "paroxysms, and not always short ones."

An experience of forty years at the bar leaves him without a single companion of his early efforts; all are gone, and having no desire to compete with his juniors he avoids practice as much as possible. Except as a juriconsult,[†] or in some case of unusual importance, he no longer accepts a brief. As his life has been passed chiefly in solitary labor, seldom appearing in public except in court, his earnestness and zeal have caused many, if not the public at large, to regard him as an unrelenting and cruel spirit. This, indeed, is more or less incident to all lawyers of eminence, since from the very nature of their profession they are always battling against some one, and if they are recluses they can make few intimate friends. This may account for the fact that

* Quod armati (*ita mos gentis erat*) in concilium venerunt.—Livy, lib. xxi., c. 20.

† We have seen manuscript copies of opinions of his, in important cases, as a juriconsult; they are highly interesting as well as valuable, exhibiting an amount of learning, research, and logical acumen, for which few foreigners would give an American advocate credit.

while all acknowledge the eminent ability of O'Connor as an advocate, he has never been popular. We find a curious illustration of the public confidence in his ability as a lawyer, and his integrity as a man, in the fact that many of those who disliked him most, for the reasons mentioned, were among the first who voted for him when he was prevailed upon to become a candidate for the State Convention, organized in 1846, for the formation and adoption of the new constitution. His reply to those who wished him to become a candidate was that he could not be elected a constable; yet, of a half a dozen different factions which exercised political influence at the time, all nominated him, with the sole exception of "the workingmen," whose rules allowed them to nominate only a working man; and the result was that he was almost unanimously elected.

His course as a member of the convention afforded the best evidence that he had no taste for political intrigue, but that he was self-willed, and would cling with tenacity to any idea, however unpopular, which he thought right. The politicians saw that they could neither convince, coax, nor bribe him, and consequently had to give him up as unmanageable. But the same untractableness that made him thus odious to men in power, or to those having sanguine hopes of soon acquiring it, rendered him quite a favorite with hopeless minorities; and this character he has sustained to the present day. As an example of the tenacity with which he clung to what he thought right while a member of the convention, we will extract a passage from his speech on the proposed section of the constitution relative to the separate property of married women. It will be seen that this shows that if he is not a politician, he has statesman-like views; at least in regard to one kind of "slavery." If he were as logical and just in his views of negro slavery as he is on that sort of bondage under which our women have to labor at the hands of their husbands, we should have no fault to find with him; and we imagine that the most sensible of the sex themselves would regard him in a similar light. Omitting some prefatory remarks we quote as follows:

"If there was anything in our institutions that ought not to be troubled by the stern hand of the reformer, it was the sacred ordinance of marriage and the relations arising out of it. The difference, he said, between the law of England and that of most other nations, was that it established the most entire and absolute union and identity of interests and of persons in the matrimonial state. It recognised the husband as the head of the household, merged in him the legal being of the wife so thoroughly, that in contemplation of law she could scarcely be said to exist. The

common law of England was the law of this country, and both were based upon the gospel precept—"they twain shall be one flesh." Pure as its origin—the fountain of holy writ—the common law rule upon this subject had endured for centuries; it had passed the ocean with our ancestors, and cheered their first rude cabins in the wilderness; it still continued in all its original vigor and purity, and with all its originally benign tendency and influences, unimpaired by time, undiminished in its capacity to bless by any change of climate or external circumstances. Revolution after revolution had swept over the home of married love, here and in the mother country; forms of government had changed with Proteus-like versatility; but the domestic fireside had remained untouched. Woman, as wife or as mother, had known no change of the law which fixed her domestic character and guided her devoted love. She had as yet known no debasing pecuniary interest apart from the prosperity of her husband. His wealth had been her wealth; his prosperity her pride, her only source of power or distinction. Thus had society existed hitherto. Did it need a change? Must the busy and impatient besom of reform obtrude, without invitation, its unwelcome officiousness within the charmed and charming circle of domestic life, and there too change the laws and habits of our people? He trusted not. He called upon not only husbands, but brothers, sons,—all who held the married state in respect, to pause and deliberate before they fixed permanently in the fundamental law this new and dangerous principle. No change should be made in the rules affecting the relation of husband and wife. The habits and manners built upon these rules, and arising out of them, could not be improved, and ought to be perpetuated. The firm union of interest in married life, as established by the common law, occasionally, in special cases, produced deplorable evils, but its general influence upon the members of society was most benign. This was exhibited in the past history of England and our own country; it was visible in the existing condition of our people. Why change the law, and by a rash experiment put at risk the choicest blessings we enjoy? Husbands in America are generally faithful and true protectors of their wives; wives in America are generally models for imitation. The least reflection must convince that this state of manners amongst us results from the purity of our laws for domestic government. These laws ought not, then, to be changed, lest manners should change with them. The proposition came in an insidious and deceitful form; it came with professions of regard for woman, and thus won a ready access to the favor of all good men; but like the serpent's tale to the first woman, it tended, if it did not seek, to betray her. He thought the law which united in one common bond the pecuniary interests of husband and wife should remain. He was no true American who desired to see it changed. If it were changed, and man and wife converted, as it were, into mere partners, he believed a most essential injury would result to the endearing relations of married life. A wife with a separate estate secured to her independent disposal and management, might be a sole trader; she might rival her husband in trade, or become the partner of his rival. Diverse and opposing interests would be likely to grow out of such relations; controversies would arise, husband and wife would become armed against each other, to the utter destruction of the sentiment which they should entertain towards each other, and to the utter subversion of true felicity in married life.

* * * * *

"This was the opinion of pure-minded Joseph Platt, of the venerable, wise, and profoundly learned Ambrose Spencer. If this Convention should change the laws, invade the sanctuary of domestic love, and en-

trench within it the fiend, pecuniary self-interest, he believed it would ultimately change the whole character of the married relation in our country. He spoke for posterity, not for the present generation. If the members of this Convention, and the people, acted unwisely in this matter, they would go down to the grave unpunished; for the evil would not come in their day. Laws might be changed in an instant, but manners could neither be formed nor subverted suddenly. The present tone of society in this respect was too well fixed to be soon changed. It was the result of centuries of human existence under a wise law. The wives and the husbands of the present day would retain the manners that law had created, long after the law itself was abolished. But if this new rule should be adopted, the student of history in after times would condemn the act. From amid the less pure and incorrupt habits and manners of domestic life as then existing around him, he would look back to the present day, with emotions akin to those which affect our minds when contemplating the first family, in happy Eden, before the tempter came." *Debates, New York Convention, 1846, pp. 907-8.*

Now, in view of the large increase in divorce suits and litigations of different kinds between man and wife in the state of New York during the last nineteen years, who can deny that some of the most serious predictions of Mr. O'Connor have been but too literally fulfilled?

It is not our habit to treat any subject without having carefully examined it, but we have found it a serious affair to trace the labors of Mr. O'Connor, extended, as they are, over such a vast space. Although some of his greatest cases are reported only in the newspapers, we have read more or less of his pleadings in not fewer than forty octavo volumes, not to mention at least a score of pamphlets. We need hardly say that we have not been able to give more than a cursory glance at the majority of them; for we could not have examined all in the time we can devote to a whole number of our journal. This must be our apology for any errors or inaccuracies which may occur in our article; we trust we may also urge it as a reasonable excuse, if it be found that we do not perfectly understand our subject, or that our estimate of him is not such as the facts justify; especially as we do not pretend to be infallible, and are always willing to modify any opinions which we find, on more mature reflection, to be erroneous.

The name of Mr. O'Connor first appears in our law reports as junior counsel, associated with the Hon. Jonas Platt, who was previously, in what may be regarded as its Augustan period, a judge of the Supreme Court; his opponents being Dudley Selden, junior, and the celebrated Thomas Addis Emmet, senior. It was an important election case which took

place in 1827.* His first reported argument is in the case of *Diver v. McLaughlan*, in the Supreme Court in 1829; one of so much importance that its nature and tendency are commented upon by our leading commentators on American law.† His greatest cases are the *Lispinard* will case, in 1843, the *John Mason* will case in 1853, the *Parish* will case in 1862, the *Lemmon* slave case in 1856, the case of the slave *Jack* in 1835, &c. We need hardly mention the famous *Forrest* divorce case, as one of his greatest, since its character is known to all. For the same reason we will speak of some other cases before it. Among his latest are those of *Curtis v. Leavitt*,‡ *Canjolle v. Ferrie*,§ *United States v. Castellero*.|| The latter cases involved sums varying from \$100,000 to millions. Some had very peculiar points, and engaged the greatest legal talent of the whole country. Of this character is that of *Barnard v. Adams*, reported in 10 *Howard's United States Reports*.¶ The argument, printed under the name of Boardman, but written by Mr. O'Connor, although the great Daniel Webster was engaged on the same side, has often been quoted in Europe as well as in this country; ** and a similar

* 7th Cowen's Reports, p. 153.

† 15 N. Y. Reports, p. 9.

‡ 2 Black's Reports.

§ See 2 Kent's Commentaries, p. 528-9.

§ 23, N. Y. Reports, pp. 110.

¶ p. 270.

** As some of our legal readers at a distance may not have seen this, and as it is also interesting to owners and masters of vessels and insurance companies, we subjoin an extract from it.

The first question in this case is of the highest importance in point of principle. The error of the judgment under review seems self-evident. It is indeed a paradox. It amounts to this: that if a navigator, whose ship is inevitably doomed to loss by stranding, should consult his own judgment, and select, for his compulsory voyage to the shore, the route least perilous to himself and his vessel, such preference for the safer course is the incurring of a voluntary sacrifice, which entitles him to compensation.

Or it may be stated in this way: a mariner, whose ship is thus inevitably doomed, cannot avoid becoming entitled to contribution in general, unless he blindly forbears all action whatever, or navigates with an express view and purpose to effect the destruction of the adventure. Neither reason nor authority affords support to this extraordinary doctrine.

General average is founded on the simple principle of natural justice, that where two or more parties are concerned in a common sea risk, and one of them makes a sacrifice for the common safety, the loss shall be assessed upon, in proportion to the share of each in adventure; and the greatest sacrifice of the first shall be compensated by the contribution of the others. *Taylor v. Curtis*, 1 *Holt's N. P. Cas.* 192 note. 8 *Eng. Com. Law Rep.* 69. Its origin is commonly traced to the Rhodian law *de jactu*, which named only the case of a jettison; and although the rule is not to be considered as thus limited, yet the case there put is an apt illustration, and no case essentially different from this illustration can fairly be considered within the rule. Goods cast overboard in a storm to lighten the vessel, masts, spars, or rigging cut away to prevent her being driven ashore, or carried away in an effort to avoid, by some unusual

remark will apply to one of his arguments in the Parish will case. The peculiar force of the latter seems to have been felt by all. Chief Judge Selden, who presided in the Court of Appeals on the occasion, gave a quotation from Mr. O'Connor's speech, as follows :

"The counsel for the respondents, James and Daniel Parish, evidently felt the force of this aspect of the case, and we will see how he meets it. In speaking of Mrs. Parish, and the frauds and contrivances by which, as he insists, she obtained the execution of the codicils, he says: 'We shall find her watching her husband's person day and night, never permitting any intercourse between him and others, which might reveal the true condition of his mind. We shall find her interpreting, according to her own purposes, his signs and gestures to selected persons, chosen to have this nominal intercourse with him. We shall find her preparing such persons to play the humble part of dupes, by appeals to their self-interest or their vanity, or by palpably untrue representations and impostures practised upon them. We shall find her desecrating to the purposes of fraud and deception, the sacred name and the sacred observances of religion, the holy cause of charity. *We shall find her ensnaring her own highly respectable kinsmen in such a net-work that they are at length constrained, in desperation, to become the instruments of her will, to forget, to prevaricate, to misrepresent. The learned and eminent counsel is drawn in by one artifice, the pious minister by another; the sexton falls by one piece of practice, the bank president and the president of the Bible Society by another, and finally, to fill up, by direct and unmistakable untruth, every remaining chink in the barricade behind which her plunder was to be entrenched, a desperate wanderer from truth and rectitude is obtained as a witness, and induced to out-Herod Herod.*'

"This is almost forcible and eloquent summary of the positions which it is incumbent upon the respondents to maintain, in order to invalidate these codicils for the want of testamentary capacity. The counsel is clearly right in his conception of the burdens which the case imposes upon him. He sees that it is quite impossible that all these intelligent witnesses should have failed to detect idiocy if it existed, and has taken his position accordingly. These positions are maintained by a vigor of

means, an impending calamity, running a ship on shore to avoid capture, slipping a cable or an anchor for general safety, are the usual instances found in adjudged cases. Perkins's *Abbott on Shipping*, 480, notes. They are all within the illustration given in the Rhodian law; and, upon principles of natural justice, are proper cases for contribution.

But when a ship does no more than pursue that course of navigation which, independent of the good or evil thence resulting to cargo, is most safe for herself, how can she be said to encounter a peril or incur a loss for the benefit of her cargo? This is not answered by the precedents of allowance for parts of the ship or her tackle jettisoned for common benefit; because although it might be proper to make such sacrifice for the benefit of the ship alone, were she empty, yet the act is the separation and destruction of a part for the benefit of the community of interests, which still remain as such contending against the common danger. Not so, when the ship is run ashore as the safest direction which can be given to her; then the whole community goes together, taking the same direction and encountering the same peril. It is a mere accidental result that the ship suffers more than the cargo.

The *Brutus* was not voluntarily sacrificed. On the contrary, she was lost by the direct and unavoidable operation of a *vis major*, unaided by any volition or mind agency of man.

logic, a force of rhetoric and a perfection of art which, I cannot refrain from saying, has in my judgment rarely been surpassed."—*New York Reports*, vol. xxv., pp. 108-9.

In examining some of the principal cases, we have found several that are interesting in various points of view. One is particularly curious; it shows, among other things, that clients sometimes know how to appreciate the labors and abilities of their counsel, even when the court decides against them. It appears from the reports before us that two gentlemen named Barron possessed a quicksilver mine in California. A scheme was contrived to deprive them of it by imputations of fraud on their part. Officials of the government became interested in the success of this device. Witnesses were subpoenaed and the record was filled with perjuries; but the claim seemed destitute of plausibility, and the courts of California decided in favor of the Barrons. An appeal was taken. The main reliance of the claimants seemed to be that the record was too voluminous to be read, and that if forgery were boldly and persistently urged it might be believed. The claimants wished to present the strongest inducements to witnesses and others to be as favorable as possible. With this view they formed a joint stock company with a nominal capital of \$8,000,000, their claim to the quicksilver mine constituting such capital. Thus, 80,000 shares of the stock were put afloat on the market, which would be worth nothing if the Barrons succeeded, but worth par if they were defeated. Any one could buy shares for two or three dollars apiece; many enjoying favorable positions could buy a lot of them for sixpence apiece, or if not afraid to accept, could get them for nothing.

This record was placed in the hands of Mr. O'Connor by the Barrons, with a retainer to argue the appeal. To him the whole difficulty seemed to be to condense and arrange the contents of the record; so unwieldy was the mass of foreign laws, foreign languages, and foreign practices. The person who got up the record was dead; his successors may not have had time, if they had the inclination, to scrutinize it. At all events, they failed to do so; they took his word that it contained ample proof of guilt on the part of the Barrons. By incessant toil, patiently pursued for a long time, O'Connor reduced the chaos to order, and rendered it so plain that no intelligent person could fail to be convinced of the utterly frivolous character of the evidence. Even that of the subpoenaed witnesses tended to show that the title of the Barrons

was good and genuine. A single paper having an unfavorable bearing was introduced at a late period of the investigation, but on cross-examination it was admitted to be a fabrication. No use for the Barrons, however. The claimants had laid their plans well; and they gained their case. By this curious decision the Barrons were deprived, not to say robbed, of millions of dollars. In the midst of their mortification and chagrin, being still wealthy, they requested their counsel to present his claim for services. It seems that what he claimed would be considered a liberal fee in any part of the world, even for the vast amount of labor he had performed. Gold was then at a premium of fifty-four per cent.; but the Barrons sent a draft on their bankers, payable in gold, for several thousand dollars more than the amount asked.

As mentioned already, we have always been opposed to Mr. O'Connor's views on the subject of slavery, but we have sought to do him the justice of bearing in mind that he formed them in his professional capacity. A very wide distinction must be made between one who devotes himself to the propagation or maintenance of slavery as a politician, and one who merely argues a slave case as an advocate. If it be urged that because a lawyer becomes the champion of slaveholders it must be held that he has sympathy with slavery, must it not also be held, on the same ground, that he who is in the habit of defending murderers must have a sympathy with murder? Although it would have afforded us much pleasure to see Mr. O'Connor devote his efforts in favor of slavery to a different cause, we do not feel the less bound to give a fair estimate of those efforts, especially when we bear in mind that they have always been influenced by patriotic motives. Mr. O'Connor thought that opposition to slavery would sooner or later lead to bloodshed and rebellion; and that whatever good might result from abolition, it would not compensate for the evil of war and the dissolution of the Union. If he was wrong in this, so were our greatest statesmen and patriots, including Webster and Clay, and even the illustrious Washington himself.

At all events, it is not as a quasi-philanthropist or politician that we are considering Mr. O'Connor, but as an advocate. As such his arguments against the poor negro have been but too powerful; they surpass all others that we have read in any language, ancient or modern. In short, wherever arguments were to be found, in sacred or profane history, in

favor of the "peculiar institution," they were carefully collected, and ingeniously and eloquently applied by Mr. O'Connor. At no time for the last twenty years has this course been popular in New York, or indeed in any part of the North; but for the last seven or eight years it has been decidedly unpopular. This no one knew better than he; and instead of being discouraged by it he has not unfrequently turned it to the benefit of his client. Thus, for example, in his closing argument in the Lemmon slave case, the following passage occurs:

"I will now make a few remarks in reply to the argument on the general subject of negro slavery. On that topic, my learned friends enjoy, in this latitude, the privilege of saying as many witty things as they please, with the certainty of receiving applause from a portion of their auditors. It requires but little firmness to speak in the midst of a friendly circle, and in conformity with its opinions. It requires but little effort of the imagination to introduce, in such a position, tropes and figures that will please those who surround us, and that will draw forth exhibitions of an adverse sentiment towards the stranger who may be present, seeking a disfavored right, or against the advocate who may venture to assert that right in his behalf. This privilege my learned friends enjoy. They are welcome to it. I am sure I could not, here, turn the laugh upon them; and I would not wish to do it if I could. For, in my opinion, at this time, under the circumstances by which we are surrounded, the honorable citizen who can laugh on this subject must first forget his moral duty. He may have an honest heart and a good understanding, but for the time he must be insensible to the just influences of either. The question before us is not a laughing matter.—*Rep. of Lemmon Slave Case, N. Y. Court of Appeals, p. 115.*

One of O'Connor's greatest merits as an orator is, that he addresses himself to no subject without embodying principles and inculcating precepts to which all must assent, and which, let their application in any particular instance be what it may, are undeniably instructive and suggestive in themselves; and we think it may be added that he owes much of his success as an advocate to the same characteristic. Thus all will admit that the speaker who has public opinion on his side, as intimated in the extract just quoted, can please and consequently convince his audience much more easily than one placed in the opposite position; and the fact, when judiciously introduced, as in this case, cannot fail to influence the jury. The opponents of the pro-slavery advocate very naturally seek to avail themselves of the favorable position in which they are placed; but with the skill of a dexterous fencing-master he parries their thrusts as follows:

"So much for that argument. It is illegitimate, and unsound.

"My learned friend who last addressed the Court, has also observed that this case was presented to your consideration on my part, with soft phrases

and intricate sentences; that much had been said with a purpose to draw attention, or which had the effect of drawing attention away from the subject in hand, and that I had avoided a reference to general principles. I appeal confidently to your Honors' judgment whether my course in this argument has not been mainly a reference to general principles, and whether it has not been marked by a desire to avoid mere details. If it be true that I have fallen into the vice, or adopted the virtue—whichever it may be called—of using over-soft phrases, I ought surely to be forgiven, for it is my first offence. And as to intricate sentences, if I have offended in that way, it certainly verifies the saying, that a certain kind of communication has a certain effect upon manners. It is a new thing in my experience to be accused of uttering soft phrases, and as to the relative proportion of intricate sentences uttered in this debate, I think I can safely submit to a comparison. In that particular, at least, the learned counsel will be found to have far excelled. If the argument presented on our part in this case is remarkable for anything, it is for the simple point-blank directness with which it meets the emergency. On this head I confidently appeal to the closest scrutiny. Intricate sentences! My learned friend has not read a sentence from our brief, or pointed out a single intricacy. Our argument may be all wrong, but it is direct. It is unmistakable in its import; it is easily understood. Whether it can be easily refuted, your Honors, or some authoritative tribunal, will determine."—*Rep. of L. S. C.*, p. 117.

But however much we may blame Mr. O'Connor for the powerful aid he has given the cause of slavery by his superior talents, we must admit that, after all, his most powerful efforts are those in favor of the weak against the strong. In proof of this we need only mention two of his numerous cases, namely, that of *Richard G. Fowles v. Henry C. Bowen*, and that of *Catharine N. Forrest v. Edwin Forrest*. In the former he appears as the advocate and vindicator of a poor clerk sought to be disgraced and ruined by his employer; in the latter, as the advocate and vindicator of a woman sought to be cast off and disgraced by her husband. In neither case had he any adequate pecuniary reward to expect; even his enemies are obliged to acquit him, however reluctantly, of all selfish motive in both cases. He believed Mr. Fowles, as well as Mrs. Forrest, to be innocent; and accordingly he did his best for him as well as for her, and with a result equally successful as far as it went. Both trials are still fresh in the public memory, for each awakened a profound interest.

It will be remembered that a wealthy merchant of this city gave one of his clerks a good written character on parting with him, and at the next opportunity represented him in the worst possible light to his new employer. The party who acted thus was sued for defamation; a verdict for six thousand dollars was rendered for the plaintiff, but it was set aside by the court. The plaintiff then brought the case to the superior court and secured the services of Mr. O'Connor, who, in

spite of all the influence the wealthy defendant could command, procured a verdict of \$4,500. We can only make room for a brief extract or two from his argument, but even these will show that the subject of our article did his duty fearlessly and effectually. Passing over the statement of the case and other introductory matter, we come to that part in which the counsel speaks of the value of character, and quote as follows:

"Mr. Bowen's counsel says the law does not favor actions for slander. This I deny. I have always supposed that this action was eminently favored by the law for the protection which it affords to reputation. Reputation is, of all human possessions, the most valuable. An approving conscience is the only thing in the wide circle of man's interest which should be more highly estimated. That is not a subject of human laws, for it is not a human possession; it is a thing divine; it belongs to the world within us, and to the world to come; not to the class of mere human interests. Reputation is of this world. It is the approval of our neighbor. It is the estimation in which he holds us. It is the word which he utters in respect to us. It is indeed worldly; and of worldly treasures, you will agree in pronouncing it the most estimable. Who will deny this assertion? Are marble palaces, or is the ownership of them—are armies of clerks, or is the mastery of them—is eminence for wealth, for talent, for acuteness—is life itself, the sum of earthly things, more valuable than reputation?"—*Argument of Charles O'Connor on behalf of plaintiff, Pamphlet, p. 11.*

The counsel for the defendant having alleged that the law did not favor actions for slander, Mr. O'Connor proceeded to reply in the following strain of refined irony and indignant invective:

"Gentlemen, it is an action favored by the law. I grant that it is an action somewhat disfavored, as a professional pursuit, by gentlemen who, like my learned friends on the other side, are blessed with the smiles of fortune. They seldom appear in a court of justice as the champions of a poor man's wounded reputation. I must confess as much for myself; but in making this case an exception to my usual course, I feel that I am fully justified; in undertaking and presenting this case to you, I am quite sure that I have not departed from any principle of prudence or of honor. On the contrary, in a certain humble measure, I feel conscious of having entitled myself to the approval of all honest men.

"We have been compelled to listen to observations of the learned counsel, entirely unwarranted by evidence, about 'tricks, devices, and contrivances,' imputed to Mr. Fowles. And what is the foundation of all this? Why, you are told that there have been published in the newspapers certain remarks unfavorable to Mr. Bowen. The truth of this I doubt not, though I have never seen the publications alluded to. But are we responsible for these criticisms on the misconduct of the defendant? If a man will so demean himself as to outrage the general sense of the community, is he therefore not to be arraigned in a court of justice? Is he therefore to escape all legal responsibility, and is the injured party to be restrained by the very indignation which his wrongs have excited in the public breast, from demanding justice before a court and jury against the transgressor?

"Reference has also been made to something like an outburst of applause having occurred here in court. I am inclined to believe that the act was inadvertent. It is a natural impulse to give an outward mark of approbation to that which has our inward approval. We are not censurable because Mr. Fowles' course is approved, and that of Mr. Bowen is condemned by public sentiment. We are not responsible for the criticisms of the press or the indignant censures of the community. Neither have been excited by our conduct."

Although more than the whole space originally intended for the present paper is already filled, we must make room for another passage from this speech, because it is characteristic of the adroit, telling manner in which, without any affectation of wit or humor, Mr. O'Connor quietly turns the laugh against the opposing counsel, while placing in relief, as if by accident, the worst points in the conduct of their client, and what is most favorable to his own :

"The counsel (Mr. Cutting) wishes to avail himself of the fact stated in our opening, that Mr. Fowles has here in court a brass stamp, which was used by Bowen & McNamee for the purpose of labelling their goods with the name of a foreign manufacturer of high credit, thereby to deceive and mislead their customers. He says we stated that fact, 'and therefore,' adds he, 'Fowles must have stolen the brass stamp, although all the rest of his story is mere fabrication.' He stole it from Bowen & McNamee, but all the rest of the story is false! That is to say, Fowles stole this stamp from Bowen & McNamee, though Bowen & McNamee never had it! (laughter). My associate says they used it. 'That,' says our opponent, 'I deny. As there is no proof that we ever had, ever owned, or ever used this counterfeiter's device, you must hold that part of Fowles' story to be a vile fabrication. But, on the other hand, there is the stamp itself. How did he come by it? He must have stolen it from Bowen & McNamee. On his own confession he is a thief.' This is what the learned gentleman calls 'taking a leaf from our book.'"—*Ib.*, pp. 15, 16.

Fortunately, it is not necessary to do more than to allude to one so familiar to all as the Forrester case, for an adequate review of Mr. O'Connor's speech alone would fill the whole space we have devoted to this paper. It is certainly a great effort, although there is nothing pretentious about it; it makes no parade of learning, but it is, nevertheless, in accordance with the principles laid down by the best judges from Demosthenes and Aristotle to Quintilian and Blackstone, of what forensic oratory ought to be. Every classical student will remember what stress the Stagyrite lays on the importance of conciliating the good will of the judge and jury.* We know no advocate who acts upon this precept with more consummate skill, or more happy effect, than Mr. O'Connor. The following passage is, indeed, not the best

* See Aristotle's Rhetoric, Book II., c. i.

specimen we could give in proof of this, but we think it is quite sufficient to justify our estimate of his ingenuity in that respect :

"Now, sir, I conceive it to be altogether in character; and following out the probably commendable, and certainly very prudent course of my adversary, I deem it proper to impute that remark, not to him, but to his instructions—not as emanating from himself, but as passing through him—the mere conduit, the voice, the language, the observation of his client. Now, sir, I say this is the last impropriety as yet; I have a hope that there will be another, and I confidently hope that, as all the persons who have come within the sweep of this party's moral sabre have received a stroke, even up to your Honor—I say I have a confident hope that twelve other individuals will receive a suitable denunciation consequent upon the justice—the integrity—the righteousness of their verdict. And it is only necessary for me to add that, as to other improprieties, I fear them not. Now, sir, I observe on this for the reason I have stated. I observe on it because it has a tendency to deprive my client of a right before this jury. If your Honor please, there have stood, during some five or six long weeks, two advocates, members of the legal profession, who come in each as the champion of his party, each imbued—honestly as the counsel on the other side says, and I am bound to think—honestly imbued with confidence in the righteousness of his client's cause, but each, of course, liable to the deepest prejudices; liable to be greatly misled; each liable to use a course of argument unfounded in reason, tintured by affection, colored by passion. How is this jury to decide between us? How, if I make a statement of evidence directly contradictory to the counsel on the other side—how, if I pursue a course of argument founded on some principle of law to illustrate this case, widely different from the course of argument that I ought to adopt—how, I would ask your Honor, are these jurors to find an umpire and an arbiter between us, but in your Honor? I have expected through this case, sir, from the very commencement, that every just, honorable and upright man in the community would be deeply imbued, I may say, with violent prejudices against the case of this defendant, up to the time one or two of his own witnesses were examined. I have expected, sir, that that calm, enlightened, and intelligent judgment, which for five and twenty years has presided in this court with universal satisfaction, manifested not only under the old system by the highest authority in the state, but, more recently, by the majesty of the people itself.

"I have, I say, sir, expected that that enlightened judgment, which no man ever doubted—which rarely has a jury ever differed with—which we have all at the bar uniformly known to be so impartial, so just, so enlightened, in its views of evidence and in the law, so reasonable, so marked with that plain Saxon common sense which goes straight home to the hearts of men, and carries conviction to them; so marked with that love of justice that knows no faltering, so that it has commanded universal admiration—I did expect, sir, though I pretend to no personal claims on your consideration—though my client is a total stranger to you, sir, and a total stranger to all public men—people like yourself—I have expected from the outset, that that common justice which for five and twenty years all parties litigant in this court have received at your hands, would have been meted out to us in this case, and that, if the evidence in this case made certain impressions on the mind of your Honor, that, calmly, dispassionately, freely, and fearlessly, as heretofore, you would put the case to this jury, and whenever the learned counsel on the other side and myself are in conflict—such a conflict as would be regarded material by your

Honor—that the scale would be made even between us, and the right presented to this jury, not, to be sure, for their absolute governance, but for their aid among conflicting arguments. I do trust—I do hope—I do pray—nay, I demand, as a matter of justice on the part of one of the most helpless and friendless individuals—so far as the management of a case in a court of justice is concerned—who has ever appeared in this court, that your Honor will feel the impropriety of this remark as to unfriendliness, and that you will not be turned aside from the performance of that duty from which I never believe you have shrunk; and that on this occasion, disregarding that or any other observation—utterly forgetting it—you will go to this jury with the impressions which the evidence has made on your mind, uninfluenced and unswayed by this gross impropriety.”—*New York Herald's Report of Forrest Divorce Case*, p. 157.

That this had its effect not only on judge and jury, but on the public, none acquainted with the circumstances will deny. But perhaps the most telling, as well as the most eloquent, part of this truly noble effort is that in which the orator exposes the pure and virtuous pretensions of Forrest to public derision and scorn. There is a startling earnestness in this whole criticism, but we can only give a small fragment or two. They, however, need no introduction; they fully explain themselves.

“But now look at the other side. How far is it probable, that for the mere purpose of enabling his wife to talk about the circumstance, or for the purpose of screening her in the eyes of the servants, that Mr. Forrest would submit to the monstrous degradation of lying every night for four months, by the side of one whom he had proved and found to be a shameless harlot, in dishonorable and lascivious communication with a man whom he knew, as he stated in his affidavit, to be a vile wretch, but whom, notwithstanding, he introduced to the society of his wife, and used to leave alone with her on many occasions. Certainly he did so on one. I ask you, is this credible? Why, what a patient, mild, innocent, self-denying creature this must be, who, when he found his wife unchaste, and was determined to punish her on that account, still, in order to salve and save her character, and to screen her from disgrace, would lay his pure and uncontaminated person on the same bed for four long months? Do you believe it? Is it credible? I submit, gentlemen, that the fact of his thus occupying the same chamber for four months is conclusive evidence that he did not believe anything whatsoever to the disparagement of his wife. But he says he did; and yet he admits that he intended to separate from her. He made not a single charge against her, and stood ready, as her champion, to defend her honor, if anybody would assail it. That he admits, and strange enough it is. But let us see how they stood on approaching the 1st of May, 1849, when the separation must take place—when the separation did take place—his establishment being then broken up. What are his acts at that time? They are very kind towards her. In April he took her out to ride. Her own picture—the picture of a degraded harlot—whom he was about to turn from his side, is sacredly preserved among his family treasures, and transmitted to the mansion of Fonthill, to grace its walls whenever it shall come into use. His own picture—the family picture; the picture of the man whom she had degraded and dishonored—he, with his own hand, carries to the carriage, accompanies her, and in the face of day and of their friends,

delivers her that picture, to keep as a keepsake and evidence of unbroken connection with the original. They part as lovers; not, to be sure, with a broken sixpence, each retaining half, but keeping each the picture and image of the other, to be treasured and preserved as an evidence that there was still an attachment between them, unbroken, at least, by crime or shame. Does it admit of any other construction? No, gentlemen."—*Report of Forrest Divorce Case*, pp. 165, 166.

The advocate then proceeds to show how the defendant had placed his wife in the family of Mr. Bryant, and on this he makes the following comment:

"He (Mr. Forrest) after these four months' contemptible disguise, covering his own shame to blind the eyes of Dame Underwood and Robert Garvin—the tell-tale Dame Underwood—wound up by taking this contaminated woman and placing her at the pure hearth of that pure, honorable, most respected, and most respectable family. I should like to know has any man a right to come into a court of justice and call his wife polluted, and demand a divorce from her, who could be guilty of such inconceivable baseness as to ask her to go to a young couple (the wife being the daughter of a dear and ancient friend,) living in peace, happiness, and honor, and plant at their hearth a vile creature, reeking with the abomination of a filthy crime—who, in all probability, would pollute whoever touches her. Why, if Mr. Edwin Forrest had done this, he would be infinitely a worse man than perhaps ever I ought to esteem him—for there is a kind of philosophy by which people think they have a right to do what they please with their own, and as this woman was his wife, why, perhaps he may have thought that he had a right to do with her what he pleased, and to cast her from him, innocent though she were. But I know no man who conceives that he has a right to plant a thorn of guilt and infamy in the garden of his neighbor—and Mr. Forrest is not guilty of this offence. I claim for him and for human nature, that he is not guilty of it; and from the fact that he is not guilty of this offence, I ask you to convict him of another, and different, and far less heinous, perhaps less inexcusable, offence against morality and justice—that of condemning unjustly his innocent wife."—*Ib.*, p. 166.

Rarely, if ever, has logic been more dexterously used than in this passage; all the circumstances which tell against the defendant are so artfully arranged, but without the least appearance of art—nay, without any apparent effort—that the conclusion of the orator is absolutely irresistible. Those who heard this speech and were capable of appreciating its influence had no doubt of the result; this will be the more easily understood if it be borne in mind that although that before us is better than most reports, it gives but a feeble idea, as we well remember, of the impression made by the living, burning words as they fell from the orator's lips, rendered doubly eloquent and persuasive by the looks and gestures with which they were accompanied. None who heard the greater part of his speech, as we did, were surprised to learn that when the case was terminated nearly all the leading lawyers of New York—about sixty in number—

united in presenting Mr. O'Connor with a valuable piece of silver, bearing a highly eulogistic inscription. Had we been among the particular friends of Mrs. Forrest, those who regarded her as a much injured woman, it might be said that we were disposed to place an undue estimate on the labors which secured her triumph; but although we are no admirers of Mr. Forrest, and have but little respect for the course he pursued during this trial, we confess we have always been so ungallant as to think that the innocence of Mrs. Forrest of some of the principal offences laid to her charge, is not very clear.

Of the members of the New York bar who commenced their professional career about the same time as Mr. O'Connor, there are but few who now survive. The most distinguished of the former are, Thomas Addis Emmet, (died in 1827,) David B. Ogden, (dead ten or twelve years,) George Wood, (dead two or three years,) Edward Sanford, (lost in the Arctic, 1854,) Francis B. Cutting, (retired from the profession,) Ogden Hoffman, (dead six or eight years,) Benjamin F. Butler, (dead a few years,) William C. Noyes, (died recently.) In short, so far as we are aware, or have been able to learn, only two survive, namely, James W. Girard and Daniel Lord. Both these gentlemen still practise and are the seniors of Mr. O'Connor.

The leading members of the New York bar, at the present day, who are not considered "old," are James T. Brady, Wm. M. Evarts, Edwards Pierpont, Richard O'Gorman, Louis B. Woodruff, George Ticknor Curtis, (late of Boston,) John E. Burrill, John McKeon, J. B. Robinson, ("Richelieu.") Some two or three of these are distinguished in the profession as representative men; and as such we may take occasion before long to examine their pretensions to a niche in that temple whose deities are Demosthenes, Cicero, and Blackstone; meantime the only one we feel justified in enshrining is Charles O'Connor.

Our readers will bear us testimony that there are none more chary of the use of the term genius than we. The reason is that we think there are extremely few in any age who possess that noblest of divine gifts; probably not more than a dozen among the whole human family. Yet we are convinced that Charles O'Connor possesses that high order of genius whose province it is to *persuade* even against the will. His oratory is, indeed, not of the ornate style; he is not fond of tropes or figures; he never uses expressions of any

kind merely because they are beautiful. On examining any of his speeches it is found that what seems most careless in the delivery or construction, has a direct, logical bearing on the proposition which he means to establish.

Another faculty rarely possessed, even by the most gifted, and which is highly characteristic of O'Connor, is that of exercising an almost equal influence on the most illiterate and most learned. If this be not eloquence we do not understand what the term means, nor do we know in what form to seek,

“The power of thought, the magic of the mind.”

But according to the greatest masters it *is* eloquence. O'Connor is not only eloquent in addressing judge and jury; in dealing with witnesses he is wonderfully sagacious, adroit, and successful. Unlike the great majority of the lawyers of the present day—who for the credit of the profession would do well to imitate his example in that particular—he avoids all harshness, even in cross-examination. Because he has thoroughly studied the subject, and understands human nature, his course is rather to conciliate even the adverse witness whom he knows to have entered the court with the lie in his mouth. It has been our privilege to be present at the pleadings of some of the most eminent advocates and jurists of Europe, as well as America; many a time have we heard Lord Denman and Sir Edward Sugden, as well as Napier, O'Connell, Whiteside, Shiel, and O'Hagen—men who may be said to represent every style of forensic eloquence and forensic skill; and we do not hesitate to say that there is not one of the courts in which we have heard them plead, or speak, from the Record Court and Queen's Bench to the bar of the House of Lords, in which the subject of this paper would not be considered an advocate of the first rank.

ART. V.—*Essays on the Administrations of Great Britain, from 1782 to 1830.* Contributed to the Edinburgh Review. By the Right Hon. Sir GEORGE CORNEWALL LEWIS, Bart. London, 1864.

WE cannot transcribe the name of this work without a word concerning its lamented author. Sir George Cornwall Lewis had reached middle life before he entered Parliament. He was approaching fifty when he first held high office. Already he had gained an enviable reputation as an admirable scholar, a sound critic, and a judicious commen-

tator upon history and political science. If in parliament he had only maintained his reputation and been content with it, he would have achieved sufficient honor for one man. But he was not content to do so. In the eight years that elapsed between his re-entrance into the House of Commons in 1855 and his death in 1863, he rose from a humble political position to the first rank of English statesmen, and was regarded by a large section of the liberals as the most proper successor of their present veteran leader. But an untimely death again put an end to the confident hopes and expectations of his friends and countrymen, and like Sir William Molesworth, Lord Herbert, Lord Dalhousie, Lord Canning, Lord Elgin, the Duke of Newcastle, and Mr. Cobden—all lost within the last ten years, not to mention more than one veteran statesman retired from public life—he was taken away before old age and in the full vigor of his faculties. Sir George Lewis was distinguished by another fact; he and Mr. Walpole are the two most prominent of what, since the Reform Bill, has been a growing class of public men; of those who have not received the early training once considered essential to success in high office. Perhaps, too, he may be regarded as the most eminent of the statesmen who have joined high literary distinction to equal political services.

These essays were not published in their present form until after their author's death, and consequently did not receive that final revision which he would probably have bestowed upon them before publication. They were contributed to the *Edinburgh Review* in part while Sir George, having been relieved from attendance on parliament by his constituents failing to re-elect him, filled the position of its editor. They were evidently written by a busy man, who had no time to elaborate them into brilliant monographs. Their style is as graceless and unattractive as a congressional or parliamentary report. Initials and abbreviations are often used. Those who expected in this book anything resembling Macaulay's essays on Horace Walpole's letters and on Lord Chatham, in many respects a similar series, must have been greatly disappointed. Nevertheless, few faults can be found with it; the essays are what their writer intended them to be—a calm, perspicuous and faithful review of those political changes to which the Buckingham Papers had drawn attention. No man could be found more competent than Sir George Lewis to pass judgment on the

events and men of these times, and for this reason the essays must always be highly valued.

It is singular how much, in studying English history, we have to rely upon books similar to this, and indeed how defective English literature is in standard works on the history of England. Hume's history, although published without the aid of the sources of information now accessible, has, after the lapse of a century, no rival. This great work, even when corrected by reading those of Mr. Hallam in connection with it, gives a very superficial account of the times of our ancestors. It has sometimes surprised us that none of our American historical scholars have paid attention to the times of the Plantagenets. As the history of our own race it should be attractive, but independently of ethnological reasons few historical subjects are more fascinating than the lives of the Edwards and Henries—than the story of Cressy, Poitiers and Agincourt, and the more melancholy one of domestic wars, and the conflicts of York and Lancaster. Yet far more faithful pictures of the exploits of Plantagenets and Tudors are to be found in the pages of the dramatist and novelist than in those of Hume or Lingard, or any other historian, not excepting paradoxical Mr. Froude. With the seventeenth century we are well acquainted; no other can boast so many and so able illustrators. But the reign of Anne, so long boasted as the Augustan age of England, which would seem most likely to be a favorite subject with historians, still wants a single good one. Two eminent authors have barely missed it. Lord Macaulay's incomparable work, of which we may say, as Sir Walter Scott did of *Christabel*, that, like the *Torso*, it defies the ability of man to complete it, and in its fragmentary state will excite feelings of admiration and despair in our posterity, ceases just as it is entering upon the career of the great queen. Lord Stanhope's history begins two years before her death.

It is this fragmentary condition of English history that makes the critical essays of such writers as Sir George Lewis so valuable. To write the entire history of England is a task of too great magnitude and requiring too versatile powers for us ever to expect to see it done by one man. Not that it can well be divided into parts; the history of no nation forms so complete and connected a tale. Brilliant as may be made the story of any part of it, that part will lose much of its value and interest when separated from what preceded and succeeded it. Isolated by nature, language,

and manners, of the English people it can be said with especial truth that they have grown; and every portion of that growth is so intimately connected with the rest that the most skilful selection and treatment cannot prevent its being greatly injured by any separation.

Macaulay attempted to remedy this difficulty by his two brilliant introductory chapters; and then to trace the history of his country down to a time "within the memory of men now living." Long after he had given up all hopes of doing this, he did not despair of connecting it with the work of Lord Stanhope. He has made, however, the history of the revolution as familiar as a novel among a much larger class than usually interests itself in such subjects, and has settled the place in public opinion of a large number of characters. Especially is this true of James the Second, who, though in truth the most odious monarch that ever filled the English throne, has found a crowd of defenders. The halo of romance which the genius of Scott has thrown around the Stuarts and their adherents, the natural partiality which Englishmen would feel for the last line of truly English monarchs, and the many unfavorable comparisons which may be drawn between national manners and national feelings of these, and the unwise obstinacy with which their successors still insist upon clinging to German customs, German sympathies and German alliances, had combined with their misfortunes to foster a morbid partiality to James. To all such feelings Macaulay has given the death-blow. The James of history will now be James as he has painted him, and every effort on the part of writers of the school of Miss Strickland and Mr. Mark Napier to stay the tide which for fifteen years has been steadily setting in against him, will be as useless as the labors of Mrs. Partington.

Lord Macaulay also attempted to settle the position in history of William the Third, but in this he has been less successful. Although we speak with diffidence, we cannot join him and many others in their earnest admiration of that monarch. Had Macaulay been less truthful, he might have drawn from his imagination a most admirable character; but in his narrative he adhered closely to history, and therefore all his ingenious excuses and powers of advocacy fail to conceal the many repulsive features of the real portrait. Great as William was in many respects; eminent as were his services to England, there is little in his character beyond his simple ability to admire or respect, and still less to love or revere.

The selfishness of his motives destroys the illusion of his most brilliant achievements, and makes his plots against his uncle and father-in-law and his manœuvres to obtain the English throne—actions which only the most exalted character could fully justify—no more creditable to him than those of any other man who has not allowed the most sacred family ties to stand in the way of his ambition. Yet Macaulay has been so truthful as to William that we should not go beyond his pages to substantiate our own opinion.

The judicial calmness of Sir George Lewis eminently fitted him for historical criticism, and although inferior to Macaulay in comprehension, in knowledge, and, above all, in those gifts as a writer in which the latter has no equal, he was never a partisan, and his inferiority as a word-painter made him safer in his judgments. Macaulay always appeared in the court of history as counsel, sometimes as the unrelenting prosecutor, exposing without favor or mercy the wickedness of James or Marlborough or Barrere, tearing to atoms the flimsy sophistries of weak defences; sometimes more gently assisting it in coming to a just conclusion on the characters of Machiavelli or Clive or Hastings; and often in warm and earnest defence of Cromwell or William; but judicial qualities are for the most part wanting, and we fear that had he possessed them he would have been a far less fascinating writer. These qualities particularly distinguished Hallam; they belonged also to Sir George Lewis, and we regret that he did not use them in a more extended examination of English history than any he has left behind him. After this rather wandering introduction, we shall give our readers some thoughts of our own in regard to the English statesmanship of the present century, and not attempt to follow Sir George Lewis in a chronological analysis of the administrations he discusses.

Should the members of our cabinet ever have seats given them in congress, as was proposed at the last session, and ably advocated by Mr. Pendleton, General Garfield, and others in the House of Representatives, the interest attaching to the parliamentary statesmanship of England would be greatly enhanced to American readers. As it is, our statesmanship bears a closer resemblance to that of Great Britain than to any other; for although the last republican government of France was expressly modelled from our Constitution, the difference in race, temperament and position prevented its practical operation from bearing a similar resemblance. All

the liberal constitutions of continental Europe resemble that of England in giving the members of the executive government seats in the legislative body, and in establishing some degree of ministerial responsibility to the legislature. In order to establish this in the United States, there must be great changes in the Constitution, much greater than, even if they would be wise, there is any present prospect of of the people's desiring or permitting. How far Congress, now that it has annually to devise the ways and means for an enormous revenue, can do without the assistance of the Secretary of the Treasury in the House of Representatives remains to be seen. But if this minister should have a seat there, and should propound his own budget, its rejection would embarrass the administration more than declining to comply with the recommendations of his annual report. It is in this view that a careful examination of all the European systems of government will probably become necessary in order to discover whether our own may not be rendered more efficient in the relations between the executive and legislative departments.

From the death of Queen Anne to the accession of George the Third, the whig aristocracy, supported by the great body of the people, monopolized the government of England. The first two monarchs of the house of Hanover naturally looked upon the tories as hostile to their dynasty. The nation at large, convinced that their religion and liberties would be unsafe under the Stuarts, distrusted them for the same reason. The tories therefore, although thoroughly supported by the country gentry, the University of Oxford, and the inferior clergy, were in as hopeless a minority as the whigs were a few generations after. But they were powerful enough to give at times no small annoyance to the government. Their exclusion and opposition became less general after the fall of Sir Robert Walpole. But it was not until after George the Second's death and the rise of Lord Bute to power, that they were admitted to a real share in the government of the country. The new king strongly favored them; they in turn abandoned the Stuarts. A large part of the upper classes, caring more about enjoying the sunshine of royal favor than for abstract principles, passed over to them; while the people, no longer fearing the Stuarts and tired of the whigs, either inclined to the tories or were indifferent. Lord North's was, to all intents and purposes, a tory administration; and after the overthrow of the whigs in

1784, the tories enjoyed the entire monopoly of the government until 1830, except during the few months in 1806-7, when Lord Grenville's whig government was in power. Thus between 1715 and the passage of the Reform Bill the two great parties had about an equal share in the government.

The Reform Bill has again changed this balance. Since its passage there have been eight general elections and eight parliaments. In only one of these have the conservatives obtained a majority of the House of Commons, namely, in 1841, when they had the aid of all who were interested in the maintenance of agricultural protection. In the thirty-five years which have elapsed since 1830, the liberals have been in power twenty-eight years. The conclusion, we think, is natural and necessary, that under a constitution as liberal as Great Britain now is, a conservative party must expect to spend most of its life in opposition. Such was the fate of the American whig party. The conservatives themselves account for it by ascribing it to Sir Robert Peel's desertion of protection in 1846, but they are very much in error. Had Sir Robert Peel adhered to protection, and had the country been subjected to two more years of the agitation of Anti-Corn-Law League, the election of 1847 would have almost annihilated him and his party. Viewed simply as a matter of party tactics, his course displayed admirable wisdom, as it took the wind entirely out of the sails of the opposition. The tactics were spoilt by the obtuseness of Lord Derby (then Lord Stanley) and his followers, who could not, or would not, perceive that it had become a war between them and the people, and that they must yield. If the conservatives had submitted to free trade it is possible that they might have again gained a majority in the election of 1847. But Lord Aberdeen's foreign policy would have been pretty sure to shipwreck them before another parliament. We think the conservatives are likely to succeed at the coming general election, but if they do it will be owing to a variety of causes, which will prevent the constituencies from returning that liberal majority which, as now organized, they will return four times out of five.

Although it has sometimes been contended that there is nothing in common, except the name, between the great political parties of the present century and their predecessors in the time of Walpole, we think they have maintained most of their distinguishing characteristics. Any differences which there may be are easily ascribable to change in time

and situation and in the questions of the day. The hostility of the tories to the first and second Georges caused them often to be democratic in their language, and the whigs, like all parties, are very different in opposition from what they are in office. Yet the whigs were the progressive party in Walpole's time as they are to-day, and the tories then, as they have ever since, opposed change in the institutions of the country. The only exception is the Septennial Act, and that was more a question of passion than of principle. When it began to mean something more, the tories became its warmest supporters. The tories have always been supporters of the royal prerogative, but their attachment to it began when the sovereign was almost certain to prefer them to the whigs, and it has been found to mean little when they were out of favor with the court. Their conduct in 1839 proves this; the conservatives found to their horror that the queen was a whig, and no whig ever opposed the prerogative more vigorously than they did then. It will be remembered that her Majesty refused to part with the ladies of her court, (who were mostly relatives of whig noblemen,) at the time when the ministry was to be changed. The whigs inconsistently supported her. Upon their past theories the queen's conduct was indefensible; according to all tory maxims, she had merely exerted a very just prerogative. Never, however, was either George the Third or George the Fourth subjected to one-half the violent abuse from the most factious whigs that Queen Victoria had to bear from a portion of the conservative party. We say nothing of the wisdom of the queen's course; the whigs were undoubtedly selfish in placing her in such a position. But the conservatives flung to the winds all their boasted disinterested loyalty in insisting upon the terms which they did, and in the bitterness towards her Majesty which many of them afterwards displayed.

Some of the conservative speakers used the vilest language towards their sovereign, whose sex, as well as her station, should have protected her from attack. One of the worst instances was a speech of a clergyman, which Mr. O'Connell read to the House of Commons. Mr. Disraeli, in his novel of "Sibyl," strongly dissents from Sir Robert Peel's decision on this occasion. It may be questioned, however, whether the queen's course was his real reason for not accepting office.

Twice have conservative ministries carried vital meas-

ures of reform in the removal of Roman Catholic disabilities and in the abolition of the corn laws. But this was owing to the agitation for these measures having culminated while they were in power, when the ministers perceived that opposition was no longer possible; and with the assistance of their opponents carried these reforms against their usual supporters. We think it is not unlikely that the conservatives will again be forced to adopt a similar course. A conservative ministry indeed creates agitation. So well is this understood in England that many extreme radicals think more can be obtained from a conservative than from a liberal government. The responsibilities of office open eyes that in opposition are sure to be shut to the most convincing of arguments—necessity. Certain, therefore, as the conservatives are of the support of the opposition on such occasions, the majority which they possess in the House of Lords enables them to carry measures which liberals could only do by using intimidation in order to force the peers to assent to them.

It is, however, the boast, and justly so, of the conservative party that they pay far less regard to birth and station in selecting their leaders than do the whigs. It has been asserted, also, that the tory aristocracy are less haughty and less exclusive than their liberal brethren, and ingenious reasons have been given for the fact. However this may be, the other assertion, notwithstanding the strenuous denial of whig statesmen, is placed beyond question by an examination of the history of the two parties.* Mr. Pitt and Mr. Percival were the younger sons of earls. But we question whether the whigs would not have been shocked at the idea of placing either of them at the head of a whig ministry instead of some Rockingham or Portland. Mr. Addington had no claim to family at all. Since then, among the prominent leaders of all ranks of the conservative party, have been Mr. Canning, Mr. Vansittart, Mr. Huskisson, Sir Robert Peel, Mr. Goulburn, Mr. Herries, Mr. Gladstone, Mr. Disraeli, Sir John Pakington, Mr. Walpole and Mr. Sotherton Estcourt. Two of these were prime ministers, three leaders of the House of Commons, and all of them secretaries of state or chancellors of the exchequer.

The whigs can show no such record. To go back to Sir

* Somewhere in Moore's *Diary and Correspondence* there is a conversation between himself and the late Marquis of Lansdowne and Lord Russell, in which he asserts, and they deny, the justice of the statement in the text.

Robert Walpole, he was for a long time kept in a humble position, and upon his return to office, after the bursting of the South Sea bubble, it is doubtful whether his noble colleagues intended him to be much higher than Craggs and Aislabie had been, until they found in him a master. From his time until the rise of Pitt, the ministers were almost all members of the aristocracy. The elder Pitt's life is one long history of aristocratic jealousy and exclusion. George Grenville was the son of a peeress and brother of a peer. Charles Fox was a peer's son and a grandson of a Duke of Richmond; and even he never attained the position of prime minister. The story of Mr. Burke is well known. Mr. Brougham was hardly more than tolerated by the whigs until he became lord chancellor. Mr. Charles Grant, like Mr. Gladstone, came full grown from the tories. Sir Charles Wood and Sir Francis Baring married into the Greys, and the English people have generally considered this their principal claim to office. Mr. Labouchere married a lady of the Howard family. Sir George Lewis deserved everything he ever attained, but we fear that what attracted attention to him for the chancellorship of the Exchequer in 1855 was as much his being brother-in-law of the Earl of Clarendon as his great merit. Mr. Cardwell first rose to importance as a Peelite, and owed his promotion to the terms of the coalition between the Peelites and whigs. Excepting him, the only ministers we now remember to compare with the conservative list are Mr. Windham, Sir James Graham, Mr. Spring Rice, and Sir William Molesworth—all of very high rank among the gentry. None of them ever led the House of Commons. The whigs have had no prime minister since Sir Robert Walpole, or leader of the House of Commons since the first William Pitt, who has not been a peer or son of a peer; and since Mr. Grenville's resignation, a century ago, all their prime ministers have been "lords." Mr. Sheridan, Mr. Tierney, Mr. Poulett Thomson, Mr. Macaulay, Mr. Charles Buller, Mr. Milner Gibson, and many others whom we might enumerate, however serviceable and distinguished they may have been, were early taught that the highest offices belonged to the great families and their connections. At least they never attained them. It looks now as if the liberals could not escape from Mr. Gladstone, at least as their leader in the House of Commons. But eminent as he is, we shall be very much surprised if they do not attempt to confine him to this, and to make him yield the premiership to Lord Clarendon

or Lord Grenville—a pupilage to which we trust he will never consent.

Since the disappearance of Pitt and Fox from the scene, the five most prominent statesmen of England have been Lord Castlereagh, Mr. Canning, Sir Robert Peel, Lord John Russell, and Lord Palmerston. Castlereagh may be considered as representing the policy which ended in the overthrow of Napoleon; Canning the policy which separated Great Britain from the Holy Alliance, and began to carry liberalism into foreign affairs; Peel the present financial system; Russell, the author of the Reform Bill, the reform era; and Palmerston the present period of domestic repose, and the policy which has encouraged constitutionalism on the Continent. Three others have attained almost equal prominence—Lords Grenville, Grey, and Derby; but they have not exerted equal influence with the five, or engrossed so large a share of public attention. Lord Liverpool was not much more than the presiding officer of his cabinet; and the fame of the Duke of Wellington, Lord Brougham, and Lord Lyndhurst, is, after all, principally professional.

Castlereagh, whose misfortune it has been to be the most unpopular of all, and to be generally depreciated, was a man of higher character, and more worthy of public regard, than has been generally acknowledged. If in pure intellectual qualities his rank is not high, his moral qualities fully justify the great place he filled in England and Europe. He possessed excellent common sense, dauntless courage, great firmness, great industry, and great tenacity of purpose. The real secret, however, of his success, we think, lies in this fact: that his views displayed remarkable agreement and sympathy with the opinions and feelings of the English people on the absorbing topic of the day, the war with France. It is immaterial whether or not that war was a necessary one on the part of England; there can be no doubt that the great body of the people regarded it as a life-and-death struggle; that success was essential not only to their maritime supremacy, but to their national existence; and Castlereagh fully shared these opinions. An abler man might have wavered; he might have been appalled at the terrible cost and burden which the war entailed; his mind, more comprehensive, would have foreseen the evils sure to follow upon success. Castlereagh had no such fear; he never for a moment wavered; his narrow mind, excluding everything else, saw nothing but the danger from the ascen-

dency of France. Such narrow-mindedness is at times no inconsiderable power. It shuts out from view consequences which would make a statesman of broad views hesitate, and thus renders any particular policy upon which its possessor is bent more distinct, more positive, and more determined, while it keeps a minister in accord with public opinion, which generally dwells upon only one thing at a time. In these ways it was of the greatest service to Lord Castlereagh. He represented the English people, not because he was particularly skilled in fathoming their feelings, but because he felt with them; and they perceived this sufficiently to repose confidence in him and to support him. The success which crowned his policy was the beginning of his difficulties. As he had succeeded where a greater man might have failed, so now he failed from want of those higher intellectual qualities which before might have injured him. His mind was warped by the great struggle in which he had been engaged, and his fears of France sadly trammelled him at Vienna, and too often made England the tool of the Holy Alliance. He was by no means illiberal in domestic matters. It is now well known that, so far from being responsible for the enormities committed in Ireland during the rebellion, he did all that he could to stay the violence of the dominant party. He supported the emancipation of the Roman Catholics, and doubtless, had it become necessary, would have cheerfully introduced a reform bill. For the severities of the administration after the peace, Lord Sidmouth and Lord Eldon were responsible. The gravest charge that can be brought against Castlereagh respecting them is that of indifference. The last years of his life must have been anything but happy; at home, public distress and public discontent were rampant; abroad, his policy had involved him in inextricable difficulties, and he found his hands tied when at length his eyes were opened to the selfishness, faithlessness, and dangerous policy of the allied sovereigns, whom he had done so much to strengthen. The fact, too, that he was looked upon by the populace as an odious tyrant, responsible for the sins of the whole cabinet, and for the public distress, must have greatly preyed upon his spirits. Had he lived, his policy must have been substantially the same as Mr. Canning's; but anxiety and disappointment meanwhile overthrew his strong mind, and led to a tragical termination of his career, at the height of his unpopularity, and when his failures were most apparent.

Very different was the fate of Mr. Canning. His political opinions may not have been very different from Lord Castlereagh's, but his generous nature and splendid genius prevented his falling into the other's blunders. This eminent man, the greatest statesman that Great Britain has possessed in the present century, was saved by the death of his rival from closing his life as an Indian satrap. For many years he had been overshadowed by smaller men, and now began the career which he ought to have entered upon many years before. He broke loose from the Holy Alliance, protested against the invasion of Spain, and placed Great Britain at the head of those liberal ideas which it had hoped finally to crush out in the two southern peninsulas. Mr. Canning also instilled a new and far different life into the old tory cabinet. He was too discerning to believe that the repressive system of the previous thirty years could, with safety, be followed longer; too kind-hearted not to loathe oppression and injustice; and, fortunately, too poor and too disconnected with the aristocracy to have any personal interest in the maintenance of abuses. He was undoubtedly a conservative, but his conservatism bore as little affinity to that of Lords Eldon and Sidmouth as theirs did to Lord Burghley's. Had he been in power in 1831, we firmly believe he would have been a reformer. Such was the opinion of Lord Palmerston, who probably knew more of Mr. Canning's private opinions than any other man. He was too shrewd and discerning to have made the Duke of Wellington's foolish and uncalled-for declaration against change in the representative system; he was too broadly national and too exalted in his views of public duty to allow himself in an awful crisis to be trammelled by past pledges and opinions, or by any absurd ideas of allegiance to party. Few will now deny that in 1831 the choice was limited between reform and revolution. The Duke of Wellington (who, Mr. Disraeli says, never understood the English people) did not see it; Lord Lyndhurst did not want to see it, but we believe Sir Robert Peel's mind was opening to this fact, although he trembled at it; and Mr. Canning would have perceived it at once. So would Sir Robert Walpole, or either of the Pitts.

The whigs have instanced Canning's unpopularity with his own party as a proof that the tories are as exclusive as themselves in their choice of leaders. But we think his unpopularity cannot justly be ascribed to this, although his

enemies among the tories may have sometimes alluded to it. Mr. Canning's family was quite as good as the Duke of Wellington's or Lord Castlereagh's, and much better than Mr. Addington's or Sir Robert Peel's. Those whig Brahmins who assailed him so unjustly in 1827 were probably the men who felt most keenly the degradation of permitting the son of an actress to become prime minister. Mr. Canning was not a man to be very popular beyond the circle of his friends. His brilliant oratory was less fitted for the bucolic comprehensions of country squires than the ungrammatical, clumsy, but intelligible common sense of Lord Castlereagh; and he probably displayed his contempt for their honest stupidity at times in a most unwise manner.

His too frequent pleasantry offended the grave, his sarcasm wounded the sensitive, and his broad liberal principles of statesmanship alarmed all who were afraid of change. Neither did the whigs do him justice. They could not understand how such a man could remain in the tory ranks—an anomaly that seriously threatened their monopoly of liberalism and sound principles of government. But their most grievous complaint against him was his acceptance of office in 1807. The king dismissed the whig ministry because they would not give certain pledges regarding the Roman Catholic disabilities. Mr. Canning, although he was strongly opposed to these disabilities, joined the succeeding cabinet, for doing which he was charged with deserting his principles for office. But we think the charge most unjust. Considering the unsound mind of George the Third, it might well be doubted whether it was wise to press upon him the subject that had already once driven him mad, instead of postponing it till after his death. It was sure to cause a quarrel, in which he was almost equally sure to be supported by the country. Such, we take it, was Mr. Pitt's opinion, and such the opinion of Mr. Fox, who had determined to postpone the question. So also thought Mr. Canning. Lord Grenville and Lord Grey thought otherwise, and beautiful work they made of it in attempting to put their opinions in practice. Those who have attacked Mr. Canning for this overlook the fact that upon every other question he differed widely from the whigs, and probably thought their general policy most pernicious; and his subsequent differences with his colleagues related solely to matters of administration. There is no proof that Mr. Canning ever compromised his opinions regarding religious disabilities. To these he sacrificed popu-

larity with the larger part of his countrymen, and many years of supreme official power. He never attempted the military method of removing them, so successfully tried by the Duke of Wellington in 1829; but to have attempted that would have been as rash for him as to have taken command of the allied armies at Waterloo.

Far inferior as he was to Mr. Canning, Lord Grenville filled nearly as large a place in the eyes of his countrymen. He came from an official family, which for fifty years had formed almost a party by itself; his father was the prime minister of stamp act notoriety; his maternal grandfather was Sir William Wyndham, the justly celebrated tory leader. He was cousin to Mr. Pitt, and almost every one of his relatives held high office. He too was a man of unquestionable ability, of eminent accomplishments, and of great parliamentary and official experience. He rose rapidly in Mr. Pitt's first administration, until he became the second person in it. In political opinions he undoubtedly more nearly agreed with Mr. Pitt than with any one else. He agreed with him on the engrossing subject of the French war; he never showed that he held the whig views regarding parliamentary reform. His famous protest against the corn-laws does not contain a word in which Mr. Pitt could not have coincided. All this makes his separation from the latter in 1804 most difficult to explain on any high ground. Both wished Mr. Fox to be a member of the ministry; the king would not agree to it, and Mr. Pitt did not press it further. Lord Grenville thereupon separated from his benefactor and joined the whigs, as did all the powerful Grenville connection.

This conduct admits of but one satisfactory explanation. Lord Grenville already aspired to the premiership. He could not forget that he was a Grenville, and therefore entitled to it; and he hoped, that had Mr. Fox joined the ministry, the personal rivalry between him and Pitt would oblige the latter to give up his claim to the office of prime minister. That he expected the premiership would fall to himself or to his brother is now well known. Disappointed in this, the Grenvilles joined the whigs, and Lord Grenville enjoyed the object of his ambition for a few months. During the tottering administration of the Duke of Portland and Mr. Percival, while it was expected that the crown or the regency would soon devolve upon the Prince of Wales, who had heretofore been a vehement whig, the Grenvilles remained true to their whig allies. When, however, Lord Liverpool's ministry be-

came firmly seated in power, when the unexpected hostility of the prince deprived the whigs of all hopes of office during his life as well as his father's, the Grenvilles gradually separated from them, and finally, after a good deal of quarrelling about their price, again joined the tories. Their course throughout was cordially approved by the leader. For these reasons we think Lord Grenville is open to the charges of inordinate ambition and gross ingratitude in his conduct in 1804. As a statesman, he proved an efficient lieutenant, but we think he signally failed as a commander.

Lord Grey figures too prominently in these essays to allow us to omit mention of him, but his name is so exalted that it is with diffidence we attempt a word of comment. His parliamentary talents have been seldom equalled, and he joined to them a lofty personal character and undoubted ability as a statesman. It was his fate to spend his entire life in opposition, excepting a year of office in Lord Grenville's government, and four years in his own. For a man of brilliant parts, who has determined to devote his life to politics, to join a party in an almost hopeless minority, and to cling to its principles through more than forty years of adversity, withstanding innumerable temptations to compromise with his opponents so far as to obtain an opportunity of serving his country in office, requires political integrity of a rare order, and deserving of earnest admiration. All this Lord Grey did. His voice was constantly and persistently raised against arbitrary government, and oppressive measures, when it required great nerve to open one's mouth at all against the government, when a liberal was regarded as little better than a traitor, and was even shunned in private life. Lord Grey has had his reward in the reverence still felt for his memory, and in his name having become synonymous with stainless purity of character and love of freedom.

It may seem invidious to speak of his faults, but it is necessary to an understanding of his career. He certainly was not always wise in opposition; as a minister his failings are still more glaring. We think, as we have before mentioned, that Lord Grenville and he were unwise in quarrelling with the king in 1807. The negotiations of 1812 are still more damaging to their reputations. But the great trial of Lord Grey's statesmanship came in 1832. His ministry had carried the Reform Bill, in doing which it had displayed no little resolution, but otherwise the task had required and called forth no very remarkable qualities. When this had

been accomplished, nothing could exceed the hesitation shown by the premier. His financial policy was a failure, his cabinet was torn by dissension, and notwithstanding his large majority it was broken up in little more than a year. He had a difficult task before him, but not more difficult than many others have had; not more so than Mr. Pitt's, in 1784, or Sir Robert Peel's, in 1835. There have been weak prime ministers in the present century: the Duke of Portland, Lord Goderich, Lord Melbourne, Lord Aberdeen; but Lord Goderich is the only one who has made so signal a failure as Earl Grey. This may in part be accounted for by his limited official experience. A life of opposition is not a good preparation for administration. But we are even then at a loss to discover evidence of the eminent statesmanship claimed for Lord Grey by his whig admirers.

Nor was Lord Grey without the faults of the whig aristocracy. He was proud, haughty and exclusive. His attack upon Mr. Canning, in 1827, was so ungenerous, so cold and so bitter, that it will always be regarded as a serious blemish on his character—one that has never been satisfactorily explained, if it does not prove that he was incapable of high magnanimity and generous sympathy. We fear jealousy had some share in it. Lord Grey's intense whig and aristocratic feelings became very apparent in office. He confined himself, as far as he could, in appointments to the pure whig blood; and disliked even his able Canningite allies. His nepotism, too, was the cause of much scandal. He provided well for himself and his family. His year of office in 1806 was sufficient to turn the family barony into an earldom. He had not become fairly seated in the premiership before he conferred upon himself the ribbon of the garter, without waiting for a vacancy in the order. His intimate relatives warmed in the ministry. His brother was made a bishop, and he showered honors, lucrative offices, and military and naval appointments upon sons, cousins, and other relations. The English had been accustomed to something of the kind under the tory rule, but were disgusted at the rapacity of a minister whose motto was "Peace, retrenchment, and reform," but who, in this fault, surpassed his predecessors.

The limits of a review article will not allow us to enlarge upon the later statesmen of England, and perhaps it would be well to omit them altogether. Sir Robert Peel and Lord John (now Earl) Russell were so many years the rival leaders

of the House of Commons, that we shall speak of them together. Sir Robert Peel was the more successful minister, but he had requisites for success which Lord Russell never possessed, strong majorities both in the House of Commons and in the House of Lords. The loss the liberals have never possessed in the present century, and to this is to be ascribed in a great measure their ill success in legislation. The conservatives, too, are a much more homogeneous party than the liberals, and generally more docile and obedient. Thus Sir Robert Peel was enabled to begin and complete a systematic series of legislative measures, which he and his friends would have mercilessly mutilated had a whig ministry proposed them. But Sir Robert Peel's administrative abilities were of a far higher order than his rival's; as a statesman he was more sagacious and more resolute, and more regardless of minor consequences. Convinced of the necessity of removing the Roman Catholic disabilities and repealing the corn laws, he considered party obligations of trivial importance, even if a violation of them should banish him from office. We doubt very much whether Lord Russell would have cared as little for the fate of the whig party. The conservatives are very exacting in their demands upon their leaders, and from recent articles in *Blackwood's Magazine* and the *Quarterly Review* we infer that they still consider Sir Robert Peel as guilty of party treason, and that he should have been true to them notwithstanding the consequences to the country. The fault was on their side, not upon his. The result of his adhering to protectionist opinions or resigning office in 1846, and allowing the whigs to dissolve parliament, would have been infinitely more disastrous to the conservative party than the course he took. The whig protectionists generally treated their leaders in a much better manner.

Sir Robert Peel was eminently successful in choosing his colleagues. No English premier ever showed equal discernment in this respect, where his own origin probably assisted him. He always pushed forward young and promising men to the front rank. The world has long admired the abilities of that little knot of statesmen known as Peelites, but equal wisdom would have discovered equally good material among the liberals. Lord Derby deserves praise for discrimination of the same kind. Nothing could have been more unpromising than the material from which he had to form his cabinet in 1852, but his selections, made without regard to

family or connections, were generally fortunate, and, except Lord Malmesbury, received, after trial, the public approval.

Here was Lord John Russell's great failing. The cabinet he formed in 1846 was eminently the family government, consisting of gentleman-like politicians, with good pedigrees, genteel connections, large estates, and some official experience. Men were allowed to become radicals, and vex the ministry with agitation of all kinds, who, if place had been found for them, would have made excellent ministers. So Sir William Molesworth proved to be some years later. We do not believe Sir Robert Peel would have allowed Mr. Cobden to run wild. Lord John Russell's cabinet was so formed that, in consequence of it, he began his administration with a large amount of unpopularity. His chancellor of the exchequer's incapacity became almost as notorious as Sir Francis Dashwood's. Lord Palmerston in the Foreign office and Lord Clarendon as Lord Lieutenant of Ireland were the redeeming features of the government, but the Greys strongly protested against the former appointment. Macaulay, like Burke, was thrust into the pay office, although he had a seat in the cabinet; a convenient out-of-the-way place was found for Mr. Butler, while Sir Charles Wood and Sir George Grey were adorning the better offices. Lord John Russell's fault in this respect still clings to him. He is personally disinterested, and undoubtedly honest, but a training among the old whig aristocracy was the worst a politician could receive, and such was his, and his mind has been exceedingly narrowed in consequence. Within two years, amid the murmurs of the nation, he recalled Sir James Hudson, the distinguished English minister at Turin, to make way for his brother-in-law. A conservative would not have been guilty of such a blunder.

Lord Russell's parliamentary talents are of a very high order; nearly, if not quite, equal to Sir Robert Peel's. As a debater he has had few equals, and has fully justified the Duke of Wellington's assertion that he was a host in himself. His great successes have therefore been in parliament, and there he has generally been greatest in opposition. Personally he is fearless enough to satisfy Sidney Smith's famous saying, but as a minister he is too hesitating and timid. The great blunder of his life was dismissing Lord Palmerston from the foreign office in 1851, to please the prejudices of the court. He turned the latter into a rival, who speedily supplanted him in the leadership of the liberal party, and has retained it

ever since. Indeed, the foreign policy of Lord John Russell's government proved its strongest point, as it was the weak point of Sir Robert Peel's.

It is interesting to speculate upon what might have been the destiny of the Earl of Derby had he not (when Lord Stanley) seceded from the whigs in 1834. Had he remained with them it is almost certain that he would have succeeded Lord Althorpe as their leader in the House of Commons, and might eventually have become their prime minister. Although not an abler man, nor more powerfully connected, he got the start of Lord John Russell in early life, and at thirty-four became secretary of state for the colonies, while Russell, who is seven years his senior, was only paymaster of the forces. His advancement he doubtless owed to his precocious powers of debate, which caused Macaulay to say of him that he was the only eminent debater who had not made himself master of his art at the expense of his audience. Whether Lord Derby would have succeeded so well in the liberal party, as he has in the conservative, is very doubtful. Up to 1834, however, he had been looked upon as rather an extreme liberal, and, except on church questions, has not, we believe, displayed his latent toryism. The famous "appropriation question," upon which he separated from his colleagues, was one of those abstract principles which never resulted in anything except in breaking up Lord Grey's government, and which should never have been allowed to be agitated. We think, however, that Lord Derby must eventually have found his way to the conservative ranks. His high birth, brilliant accomplishments and great eloquence have always made him a favorite, but he lacks discretion, both as a debater and a minister, and seems to grow daily more narrow and conservative in his opinions. He takes his exclusion from office with extreme good nature, and we doubt whether he personally cares for it. His position is too exalted to make such honors or emoluments of any particular value to him, and only a sense of duty can induce a man like him to undergo all the fatigues and submit to the drudgery of an opposition leader. Nor can he well lament his opposition life, when it gives him the time to gain more permanent fame by distinguished labors in the field of literature. But his translation of Homer hardly falls within our subject. Lord Derby, although a brilliant politician and a nobleman of high character, has not, we think, with all his ability, earned a very

great reputation as a statesman. No great political measure is associated with his name ; no very profound or original principles have been enunciated in his speeches. He lacks, too, those broad sympathies which enable a statesman to judge of the wants and feelings of all classes in the community.

The present veteran prime minister is a far more remarkable man—remarkable for his long political career, extending back to 1807; for his vigorous old age, which enables him in his eighty-first year to preside over his sovereign's councils and lead the House of Commons ; and for his rare sagacity, sound judgment, great political knowledge, vast experience, and wide popularity. We believe Cardinal Fleury is the only man who has held a similar office at an equally great age ; but Fleury never had Palmerston's parliamentary duties to perform. A very marked comparison may be drawn between Lord Palmerston and Sir Robert Walpole. In both are seen the same good humor, the same wonderful knowledge of men, of the House of Commons and of the English people ; the same dexterity in debate, the same skill in administration, the same careless indifference to theories, the same long official career, and the same thorough comprehension of the every-day wants of the kingdom. Lord Palmerston excels in his knowledge of diplomatic matters and the foreign relations of the kingdom, as Sir Robert Walpole did in finance. The foundation of the character of each is the sterling common sense which distinguishes the English above other nations. But Lord Palmerston has not the inordinate love of power, which in Sir Robert Walpole drove all his abler colleagues into opposition. It did, indeed, seem as if, in his first ministry, Lord Palmerston was destined for the same unequal warfare, but since then he has shown himself anxious to make his cabinet as strong as he can.

But Lord Palmerston's career is also remarkable for the slow progress made by him in gaining an acknowledged position among English statesmen. Having held an administrative office for a long period under the Tories, without taking active part in debate, he was regarded as nothing more than a placeman, indifferent to principles so long as he could retain his salary ; and the number of prime ministers under whom he had served was constantly alluded to by opponents in debate and on the hustings. Sir Robert Peel more than once stooped to so unworthy a sneer. We

are not inclined to esteem very highly a certain sort of consistency which some value so much. But, in fact, few statesmen have been more consistent than Lord Palmerston. He began life as a conservative of the school of Pitt and Canning, and although he held office uninterruptedly from 1807 until 1828, yet this was in fact in one continuous tory administration, notwithstanding the constant changes taking place in the premiership. With the rest of Mr. Canning's friends, he left the Duke of Wellington's government in 1828, and two years later joined the whig government of Lord Grey, since which time he has been a member of the liberal party. In his views of government the change was probably very slight. That many who knew him regarded him, even in his tory days, very differently from the popular estimate of him, is certain. Mr. Canning, whose disciple he has since been considered, was discerning enough to detect his extraordinary powers, and after his secession from the tories they endeavored repeatedly to entice him back.*

The whigs were a long time finding out that he was a consummate politician. When, on Lord Althorpe's leaving the House of Commons, they were at a loss for a leader, the claims of Lord John Russell, Mr. Spring Rice, and Mr. Abercrombie were canvassed by the press, but Lord Palmerston was not once mentioned for the position. When he was defeated for Parliament in 1835, the speaker said of him, "Lord Palmerston was useful as a debater sometimes, but really we think he is as well out of the way. He is the less likely to form a part of the next liberal ministry." Sidney Smith spoke in an equally disparaging manner of him. While liberals so regarded the ablest man in their party, it is not so surprising that conservatives did not appreciate him. This, however, was owing to his confining himself entirely to his duties as foreign secretary, which then created little interest in the country. When he had to defend his policy in the House of Commons, his powers as a debater were as conspicuous as they have since been. He has seldom delivered more powerful and convincing speeches than those of 1837 in defence of his course with regard to

* "He quitted a tory government in 1828, because he differed with them upon public principle. While out of office then it had been three several times proposed to him by that government to return to office. They proposed to him not only to return himself, but to take any two of his political friends with him. They offered him one of three seats in the cabinet. Thrice was the offer made to him, and thrice did he decline it."—*Lord Palmerston's Speech to the Electors of Hampshire, January 12, 1835.*

Spain. The brilliant success of his policy in 1840 in Syria, which in wisdom and promptitude was worthy of Chatham, first attracted general attention to him. But even afterwards and when his reputation on the Continent exceeded that of any other Englishman, he hardly held a second rank in his own country.

It is a satisfaction, then, to all who admire ability, that this distinguished minister has lived to gain his present extraordinary ascendancy—an ascendancy unparalleled since the days of Mr. Pitt. As a diplomatist he has never had an equal in England, and his foreign policy has generally been justified by the results. He was the first English statesman who looked upon the Orleanists as unalterably hostile to England, and who probably rejoiced at their fall.* Fortunate, too, was it that the seals of the foreign office had been restored to his vigorous grasp before the great revolutionary outbreak of 1848; and considering the dangers abroad and the difficulties at home, a weak ministry, a hostile court, hesitating and unfriendly colleagues, and bitter critics in parliament, his success was very great. It is not probable that until his dismissal in 1851 he had ever looked forward to any other office than that of foreign secretary. That step paved the way for his advancement to the premiership, where in maintaining himself he has displayed such extraordinary resources.

Lord Palmerston is naturally a very able man. Much as his tact and experience have assisted him, they would have been of comparatively little use without intellectual powers of a high order. His long service in diplomatic matters drew away until recent years his attention from domestic questions, of which his knowledge is still limited, but such as it is it goes a good way. Of legislation he knows as little as did Sir Robert Peel of foreign affairs. One great gift he possesses to a rare degree, and that is the power of inspiring general confidence. This is owing to his broad national feelings. He confines his sympathies to no party or class, but is a thorough Englishman, with his countrymen's virtues and foibles; devotedly attached to his native country, and governed in his policy by his opinions of her interest. Thus he has not inspired any great degree of confidence abroad, much as he is respected and even admired. Clear-sighted rather

* Sir James Graham, in his speech on Lord Palmerston's foreign policy in 1850, charged him with having by his intrigues brought about the revolution of 1848. He evidently thought this a most solemn charge. We do not know how true it may be.

than far-sighted, he deals with present difficulties without looking very far into the future, and it is very seldom that he does not see his way out of them. His generous efforts to shield his colleagues and subordinates from censure, and the readiness with which he assumes responsibility for their actions, add not a little to his popularity. In his kindly nature, too, there is very little or no vindictiveness, and he seems to treasure up no bitterness towards men who have made most violent attacks upon him. Without any particular theories or principles of government, he cannot be classed in the highest rank of statesmen. But his many admirable and well-balanced qualities, his great knowledge and experience, and his untiring energy place him in a most honorable position in the second rank.

We should have liked to devote a small space to Mr. Gladstone and Mr. Disraeli, the lieutenants of the rival parties, and whom our generation will probably see enrolled among the English premiers. But we must leave them for another time.

ART. VI.—*The New Testament of our Lord and Saviour Jesus Christ: the common English Version corrected.* By the Final Committee of the American Bible Union. New York, American Bible Union, 1865.

An eminent writer has remarked that translators are seldom men of genius; they are as jackals in the world of letters. An exception should be made in favor of those who undertake to translate the Bible. We do not mean that all who have undertaken the work possessed genius or even learning, but that men of the highest order of intellect have devoted themselves for years to the task; and, moreover, that a good vernacular version of the Bible is a work that requires the highest talent for its execution. Very few, save those who have tried, are aware of the difficulty of making a good translation of any work. It is not sufficient to know the two languages. An American may feel perfectly at home in a good classic and idiomatic French author, for instance, and yet be unable

to translate a single chapter of it well. Set him down to it, and he seizes upon the first English words and expressions that come into his head, provided they express in English, no matter how awkwardly, the idea so beautifully put in French. In general, the translator does his part best who acts the good interpreter. Not words, but ideas, he has to translate, and he should endeavor so to render these as to transfuse the tone and spirit of the original into his composition. If this were only attended to, we should not see so many books done out of other languages without being put into English.

The case of the Bible, however, is altogether a peculiar one. Here the translator is not allowed to play the interpreter. The liberty of diction permitted in other works is denied in this instance. The book being the word of God, his word we want, not the translator's. Every jot and tittle of the book is deemed of importance, and every jot and tittle of the original we must have in our vernacular, neither more nor less.

Before we proceed to what is more particularly our object in the present article—namely, to make some remarks on certain recent translations, especially on that of the body which styles itself “The Final Committee,”—we will refer briefly to some of the old Bibles which are regarded as standards. There are various editions of the Hebrew Bible, both manuscript and printed, which in many instances differ considerably from each other. It is generally admitted that the best of the former are those copied by the Jews of Spain. The most ancient printed editions of the Hebrew Bible are those published by the Jews of Italy; and it may be justly added that those printed under Jewish supervision are the most accurate. The one esteemed the most correct is that published at Soncinum in 1486, but this only contained the books of the prophets.

Of the Greek versions, the most ancient and probably the most correct is the Septuagint. The second Greek Bible is that of Venice, published in 1518, and known as the Aldine edition. The third in the order of time is that of the Vatican, published at Rome in 1587. An immense amount of labor was bestowed upon this by Cardinal Caraffa and other learned men, who were employed on it for nine years by order, and under the supervision, of Pope Sixtus V. Different editions of this have since been published, each distinguished by peculiar features; but the most celebrated is that pub-

lished at Paris in 1628, and which contains a Latin version annexed to the Greek, together with the Greek Scholia, and the notes and various readings by Nobilius. It is worthy of remark, in passing, that it is from this all our English editions, including that known as "King James's," have been taken.

Of all the Latin versions the Vulgate is undoubtedly the best; but there have been two known by this title, the Ancient and the Modern; the former being sometimes called "the old Italic," to distinguish it from versions made in other countries. The old Vulgate was translated from the Greek Septuagint, for the use of the Latins soon after their conversion to Christianity. St. Jerome, one of the most learned men of his time, was not pleased with it, however, and accordingly he undertook a version of his own, which he completed between 370 and 380. This also is known as the Ancient Vulgate, but it has met the fate of all other editions bearing the same title.

It is true that what is called the Modern Vulgate is abundantly old. The two principal editions of it are those of Sixtus V. and Clement VIII. The former pope collected the most ancient manuscripts and best printed copies to be found, and invited the most learned men from all parts of the Christian world to aid in the work; to these he joined a congregation of cardinals for their instruction and counsel, and being himself one of the most accomplished scholars of the age, he presided over all.

It is not strange that the whole Christian world regarded this edition, published in 1090, as perfect. But it was greatly improved under the auspices of Clement VIII., whose edition, published in 1592, contained not fewer than two thousand emendations on the text of his predecessor. This version received the sanction of the Council of Trent; and it has since been the standard of the Catholic Church. The most learned Protestant critics have admitted its general accuracy, including Grotius, Walton, Beza, and Casaubon. Even while religious controversy raged to such an extent as to seem likely to warp the judgment of the most liberal and most enlightened, the University of Oxford declared, in the preface to its edition of the Greek Testament published in 1675, that there was no version of the Bible in any language worthy of comparison with the Vulgate. We need speak of no more old editions for the present; the few we have alluded to, considered as examples, will give some idea of the difficulties which beset even the most learned men when they undertake so herculean a task as an improved translation of the Bible.

It is clear, then, that the man or men who come forward with a "corrected" version of the Testament should give some assurance to the public of two indispensable qualifications—good faith and ability. A version by Tom, Dick, or Harry is a thing to be thrown into the fire by those who have no means of judging whether it be God's word or not. Such a version can have no sacredness with the masses, since they have no grounds for believing it to be the Bible—the very Bible. We object to the "Common English Version Corrected," because coming to us without a single word of preface. What authority has it? Not a tenth part of our American citizens know anything about the Bible Union or the "Final Committee." What assurance have we of their good faith; and that being supposed, what proofs of their competency have been laid before us? Who are the "Final Committee" at all? Are they known, and worthy of trust, as biblical scholars?

And speaking of scholarship, another objection presents itself. The "Testament" is put into our hands as corrected by the "Final Committee." We could wish they had set forth, in general terms, in what our common and long-used English version needed correction. They seem to have forgotten that King James's version was received only upon the very highest human authority. All the learning of Europe, at least of the Protestant churches, was brought into requisition at the getting up of that version. After much consultation and consideration, some general rules for the guidance of the translators were arrived at, and sanctioned. These had to be observed, and were. Those who wrought out our common version were eminent and well-known scholars. They had, it may be said, moreover, all Europe in consultation; and the translation, when accomplished and corrected, received the approbation of the most learned divines of the Anglican and other Protestant churches. The writer of this paper is very anxious for the advance of biblical studies. We own to many faults in our English version. We should certainly desire to see them corrected. We should wish, too, that a book which ought to be so constantly in the hands of all could be brought into closer harmony of expression with modern English than King James's version is. But a text prepared with such care and learning, handed down with such reverence by our fathers, *seculorum usu comprobatus*, we cannot see coolly set aside by an unknown committee without a protest. We protest against it as devoid of that external

authority, that assurance and guarantee, wherewith a version of the Scriptures should come recommended. We decline to receive it on *à priori* grounds. It may be good or it may be bad. Its merits or demerits we shall not stop to consider; nor, indeed, would we presume to decide on all that is right or all that is wrong in any version. Blotches here and there we may discover in all versions; but which of them, all things considered, were the fittest to be received as a text-book in church and school, we must leave to learned divines to decide, who can speak with more authority and judgment in the matter than we. We must be satisfied of such authority ere we substitute every text for the honored one of our fathers. We cannot accept any new-fangled thing presented to us by this man or that, by a committee of New York or a committee of Philadelphia, or any other would-be judges or correctors, as the word of God.

What the "Final Committee" attempted in the version before us we have no means of knowing. We have no notion of plodding patiently through a book we utterly discard, to compare it line for line with our old version. A glance, however, at the Gospel of St. John shows us that they undertook to modernize the language. How they have succeeded we have no inclination to examine. We merely ask our readers, Is there anything more barbarous, from Matthew to Revelation, in King James's, than the following sentence from the first page of that gospel: "But as many as received him, to them gave he power to become children of God to them that *believe on his name?*"

We have now done with the Final Committee and *their* New Testament. To justify the exception we have made to Macaulay's proposition in favor of translators of the Holy Scripture, we would beg our readers to examine one text with us, and see how translators, for want of learning, have floundered one after another in it. Take, for instance, St. John, chap. viii., v. 25: In the Greek we find "*Ἐλεγον οὖν αὐτῷ· Σὺ τίς εἶ; Καὶ εἶπεν αὐτοῖς ὁ Ἰησοῦς· Τὴν ἀρχὴν ὃ τι καὶ λαλῶ ὑμῖν.*"

The Saviour's answer to the question "Who art thou" is "*Τὴν ἀρχὴν ὃ τι καὶ λαλῶ ὑμῖν.*" Let us see what a mess our translators have made of this passage.

The Latin Vulgate has "*Principium, qui et loquor vobis.*" But what does "*Principium quis et loquor*" mean, or how is it to be parsed? *Principium*, accusative (representing *την ἀρχην*), governed how, or by what? Can any one suppose the

translator of the Vulgate knew himself what he meant when he penned these words? *Credat Judæus*—he did not. The words "*principium qui et loquor vobis*," taken singly each by itself, are indeed Latin words, but, taken as they stand together, are not Latin; they have no meaning. The translator did not understand his text, and was seemingly determined to justify his ignorance by challenging his Latin readers to make out a sentence which he called Latin.

The common English version, or King James's, renders the passage thus: "Who art thou? Even the same that I said unto you from the beginning." Though this is anything but correct, it is preferable to the Vulgate. If a false translation, we have, at least, an English sentence; it is intelligible; it means something; whereas the Vulgate is mere nonsense. This much, however, is all we can claim for the Protestant reading. It is intelligible, and bears a meaning, but whose meaning is that—the translator's or St. John's? Not St. John's, but the translator's. The interpretation was first suggested, or at least advanced, and defended by the able Jesuit commentators Lapeire and Maldonatus. The latter translates "*(Ego sum) id quod vobis a principio loquor*." *τὴν ἀρχὴν*, according to Maldonatus, must be taken as an adverbial expression with *κατὰ* understood, and having the force of *ἐξ ἀρχῆς* or *ἀπ' ἀρχῆς*, i. e., *a principio*, from the beginning. This were all well if it could only be shown that *τὴν ἀρχὴν* is sometimes used adverbially in the signification of *ἀπ' ἀρχῆς* or *ἐξ ἀρχῆς*. In the first place, we observe that *τὴν ἀρχὴν* nowhere occurs in the Bible bearing such a meaning. But granted this argument would be insufficient, and that it may occur once, though no more, before such a meaning could be affixed to the words it were to be shown from profane authors that they may mean "from the beginning." But no passage of any Greek writer has yet been adduced to show that the words are capable of the meaning imposed on them in our common version. "From the beginning," then, is no more a translation of the Greek *τὴν ἀρχὴν* than "from Calcutta" or "the Bay of Biscay" would be.

While on the subject let us point out another circumstance or two which tell against the English interpretation. St. John had frequently occasion to express the idea "from the beginning."* In all cases he expresses himself in the usual Greek formula of *ἀπ' ὧν* or *ἐξ ἀρχῆς*. Again, the common interpretation entirely overlooks the structure; the order of

* See ch. vi., v. 64; xv., 27; xvi., 4, and First Ep., ch. ii., vs. 7 and 24.

words in the sentence. We have not *ο τι και την αρχην*, but *την αρχην ο τι και*, κ. τ. λ. It is ridiculous to suppose that the Evangelist, in giving a simple reply of the Saviour to a simple question, "Who art thou?" would make use of such a violent hyperbaton as our common interpretation demands. If the adverbial phrase *την αρχην* belonged to *λαλω*, meaning "I said from the beginning," the sentence would assuredly run *ο τι και την αρχην*, κ. τ. λ. But so it runs not.

But there still remains another serious objection to the common interpretation; one so plain and palpable that we wonder how it could have been so persistently overlooked by translators. Had St. John wished to express "as I said," we should not have the verb *λαλω* at all, but *λεγω*; nor should we have the verb in the present (*λαλω*), but in an aorist or preterit tense.

Next comes the Douay interpretation, which was adopted by the late Archbishop Kenrick, in his "Four Gospels:"* "The beginning who also speak to you." This is, if possible, still more meaningless than the Latin Vulgate. The word "beginning," in answer to the question "Who art thou?" is unquestionably in the nominative case, whereas *principium*, representing *την αρχην*, must be in the accusative. Again, "beginning" is made to stand antecedent to "who," while it is evident that neither its Latin nor Greek representative is the antecedent of the following pronoun. In a foot-note to this passage the archbishop modestly remarks: "As the passage is confessedly obscure, I have literally rendered the Vulgate, and presented the reader with the explanation of St. Augustine." But we have just shown that he did not literally render the Vulgate. As to the interpretation of St. Augustine, the learned archbishop should have been aware of the fact that St. Augustine was entirely mistaken as to the Greek text, reading the conjunctive *οτι* instead of the two pronouns *ο* and *τι*. Of course, this threw St. Augustine entirely out as to the meaning of the phrase.

In a later edition† the archbishop gives up this rendering and approaches the Protestant text, translating "As from the beginning I also say to you." Say what? The sentence is done. And such is presented to us as Christ's reply to the question "Who art thou?" Let us commend, however, all we can. We get something for the *και* ("also"), for which the

* New York, 1849.

Baltimore, 1862.

Protestant text shows nothing. For the rest, we have already proved that *την αρχην* does not mean "from the beginning." Still we like the version of 1862 better than that of 1849. In the former the archbishop recognises the necessity the translator—even a Catholic translator—is under of acting at times the role of interpreter. Besides, he gives up the old plea which read so stupid and faggish, and followed the Vulgate, when the world knew the Vulgate had nothing in it for him to follow. In passing, we may observe that the "Final Committee" have *not* "corrected" the mistranslation of *την αρχην*. They follow Archbishop Kenrick, "That which I also say to you from the beginning."

A word on a few foreign translations we have seen of this passage: The Abbé Glaire, in his edition of the New Testament,* thus renders the passage, "Ils lui dirent: Qui êtes vous? Jésus leur répondit, le principe moi-même qui vous parle." This only differs from the Rhemish in that it is a good deal worse. It has all the errors we pointed out in that version, and a clinching one of its own to boot, viz.: the introduction of the word "moi-même." Where on earth was this found? Then, what becomes of *και*, a particle that certainly holds a remarkable and significant place in the sentence?

De Sacy's translation is much the same. In the edition we are using † we read "(Je suis) le principe (de toutes choses) moi-même qui vous parle." Dr. Martini, in his Italian version, translates in like manner: "Il principio, io, che a voi parlo." That "io" he has inserted of himself, and of himself, too, has suppressed *και*, which he saw the Vulgate retain.

Dr. Allioli translates: ‡ Wer bist, du denn? Jesus sprach zu ihnen: Der Anfang, der auch zu euch redet." Like the Abbé Glaire, he manages to become a bit worse than either Vulgate or Rhemish. Besides all theirs, he has a fault over and above, all to himself: *λαλω*, loquor, becomes a third singular, "redet," in his hands. In a note he gives the following paraphrase and explanation of the text: "I am the Eternal Word which reveals itself to you. The Son of God calls himself the 'Beginning,' not only because he is the 'Begotten' of the Father before all time, but also because he is the source of all creation ('der Grund alles Geschaffes')."

* Paris, 1861.

† Bruxelles, 1844.

‡ Siebente Auflage-München und Landshut, 1851.

nen.') "In Greek," adds he, "we find 'Ich bin was ich auch anfangs gesagt habe (das Licht der Welt,)' " Ob., v. 11. In the Greek we find no such thing; $\lambda\alpha\lambda\omega$ is not "gesagt habe," nor is $\tau\eta\nu\ \alpha\rho\chi\eta\nu$ correctly translated by "anfangs," as we have abundantly proved. We cannot pass all this over without calling the attention of our readers to the manner in which this author contradicts himself. In the explanation of the text he remarks that the Son of God "calls himself the Beginning," &c., and in the next sentence informs us that the Saviour never used the expression at all, but only "I am what I also said to you from (or in) the beginning, (anfangs), the Light of the world," as in v. 12.*

Kistemaker, in his tenth edition of his Testament,† renders it, "Der Anfang Der ich auch das zu euch sage." The best we can say of this rendering is to be silent. We should, indeed, be puzzled to put it into English. With the rest, he gives us "Der Anfang," nominative case for $\tau\eta\nu\ \alpha\rho\chi\eta\nu$. He makes an effort, however, to retain the accusative of $\lambda\alpha\lambda\omega$, $\tau\iota$ (Vulg. "quod loquor"), "*das* zu euch sage," and correctly puts the verb in the first person, "sage," not with Allioli in the third, "redet."

Weitenduer's version needs no special comment: "Der Anfang (aller Dinge) wie ich euch schon anfanglich gesagt habe." He works two words, "anfang" and "anfanglich," out of the single one $\alpha\rho\chi\eta\nu$. The only correct interpretation of this verse we have ever met with is that given by Dr. J. Th. Beelen in his Flemish edition of St. John's gospel: ‡ "(Ik ben) volstrekt dat, was ik ulieden ook leer (te weten, de beloofde Messias)"—(I am) assuredly that what I also announce to you (to wit, the expected Messiah).

The whole interpretation hinges on the meaning of the word $\tau\eta\nu\ \alpha\rho\chi\eta\nu$. It must be borne in mind that nowhere else in the New Testament does the word occur, bearing the signification Beelen here attaches to it. But on this ground alone no one would contend that it should be rejected. Neither does it occur, as we remarked before, in the sense

* The versions of Martini, Allioli, and Glaire have been approved by the Holy See. It is proper to state, however, that this approbation is a mere negative one, not necessarily implying the endorsement of a single line of any of the works. But such as it is, since it is rarely granted, and never except to works that come before the Holy Father with the very highest encomiums, it gives any text so approved a considerable degree of authority. Besides the three mentioned, we know of only two other vernacular versions of the Holy Scriptures approved by the Pope: the Polish text of Father Wnucko and the Spanish version of Father Scio de S. Miguel. We have none in English.

† Munster, 1850.

‡ Louvain, 1862.

of ἀπ' ἀρχῆς. But whereas no Greek author is found to have used the accusative adverbial ἀρχην or τὴν ἀρχην in the sense of "from the beginning," there are various examples to prove that they employed it to mean plane, prorsus, omnino, volstrekt, assuredly.*

It is sufficient to note here that two Greek fathers, Chrysostom, in his Fifty-third Homily on St. John, and Theophilactus ad h. l., understood τὴν ἀρχην in the sense of volstrekt, omnino, assuredly, expressing it by its equivalent adverb ὁλῶς. Owing, however, to a false reading of the text, both entirely misunderstood the passage. But this rather strengthens than impairs their testimony as to the signification which the adverbial phrase τὴν ἀρχην may obtain.†

Beelen's interpretation, then, exactly accords with the original; it is clear, simple, and literal :

Τὴν ἀρχην	ο	τι	καὶ	λαλῶ	υμῖν.
Volstrekt	dat	was	ook	leer	relieden.
Assuredly	that	what	also	I teach	you.

Each Greek word has its equivalent in the vernacular, and the whole passage exactly suits the context.

But it may be asked, if the Saviour meant nothing more than "I am what I also announce to you," why he did not say at once "Εγὼ εἰμὶ ὃν με εἶναι λέγω," and from the fact of his not employing the usual mode of expression, are we not to conclude that he insinuated in that obscure phrase something more than the ordinary and plain expression would imply? We do not deny that the Saviour might have answered, "I am what to-day I am;" but the text as it stands is far more pregnant, and more in accordance with the context.

"If you believe not," said the Saviour, v. 24, "that I am, you shall die in your sins." This verse is in reality the great puzzle. What did he wish them to believe? "That I am." It was not certainly this existence standing as he was before them. The Jews were no Berkeleyites. Yet the object he proposed to their belief must have been something of the last importance, as we gather from the emphasis of the sentence, and the warning, "You shall die in your sins." What, then, does he demand belief in by το, "That I am."

* See Raphelius, *Annotationes in S. Scripturam*, tom. 1, page 638, Lugduni Batav., 1750. See also "Grondregels voor het vervaardigen eener Vertaling van het Nieuwe Testament door J. Th. Beelen," page 74 seq., Amsterdam, 1858; and Vigerus, "*Annotationes Hermanni*," Lips., 1822, page 80, note 2, and p. 723.

† They read ο and τι as one word, which forced them to suppose an ellipsis of some verb. See "Grondregels," page 74, note 1.

"Our Lord," says Archbishop Kenrick, "evidently means to give his hearers an insight into this divine nature, and lead them to recognise it." The archbishop favors the opinion of St. Augustine, that "I am" is here used to denote essential being, even as God said to Moses, אני ה' אלהי "sum qui sum." I am who I am. Herein the archbishop is entirely astray. Through the whole chapter the drift of the Saviour's discourse is to impress upon his hearers the idea that he is "The One sent by the Father."*

That the Jews well understand what he meant in asserting that he was sent by the Father is evident from collateral Scripture authority and Jewish tradition. John the Baptist, for instance,† sends two of his disciples to ask Jesus was he *The One Coming*, "ὁ ἐρχόμενος" (הבא) habbah. "Sent by the Father,"‡ was well understood by his auditors as sent by God. Compare v. 41. Bearing in mind the expectations of the Jews, ὁ ἐρχόμενος ὁ Χριστός, and the *Missus a Patre*, vs. 16, 18, were unmistakable and synonymous terms. When Christ, therefore, asserted (v. 12) that he was the "Light of the world," and (vs. 16 and 18) that he was "sent by the Father" the Jews well understood him to announce that he was the Messiah. But they refuse to believe, and put him questions in ironical ignorance, (vs. 19 and 22.) Whereat Jesus, never heeding the irony, denounces, (v. 24) their incredulity, and threatens they shall die in their sins if they believe not that *He is* (the One sent by the Father). Now, instead of that emphatic "I am," "ὅτι εἰμι," Jesus must have said, in the dialect of Jerusalem, אני ה' אלהי, ana hou, i. e., *I he*, or *I the One*. In the context, v. 24 might be translated, "If you believe not that I am he, you shall die," &c. Compare Acts, ch. xiii., v. 25: "When John was drawing towards the end of his course, he was wont to say, Whom think ye that I am?" "οὐκ εἰμι ἐγώ," "non sum ego" "not I am," which St. John must have expressed in his own dialect, אני לא ה' אלהי (lah anah hou), not I he, or I am not the One, but behold cometh after me *he*, &c. John the Baptist was just as intelligible in this wise to the Jews as when he replied, John, ch. i., v. 20, οὐκ εἰμι ὁ Χριστός. The ἐγώ εἰμι, therefore, of vs. 24 and 28, refer not, as Bishop Kenrick supposed, to the Saviour's divine nature, but to the Messianic character of Jesus. We have no objection to saying, with the archbishop, that Christ, in the course of the conversation here related, hinted at his divine nature, and wished to lead his hearers to a recognition of the same (see v. 58).

* See vs. 14, 16, 18, 23, 26, 28, 29, 36, 38, 40, 42.

† Luke, ch. vii., v. 19.

‡ Vs. 16 and 18.

This was secondary, however. His main purport was to bring out his Messiahship, that he was the One sent, the One coming. But to return to our text. The archbishop is greatly mistaken in attaching the same meaning to the *εγω ειμι* of this verse which the words bear in verses 24 and 28. Notwithstanding the Jews well understood what Jesus taught or declared of himself in the preceding part of his discourse, they now (v. 25) put him the ironical and impertinent question, "Who art thou?" The Saviour has but to reiterate, with emphasis, *την αρχην*, that he is that what he also announces to them—*ὁ*, nominative case, in answer to the question, and neuter, because referring to the abstract idea of his office or mission. To seize the full force of the second member, *τι και λαλω υμιν*, we must call to mind the outset of the Saviour's discourse. In v. 12, he asserted that he was the "Light of the world." The Pharisees take him up, and object that he is his own herald, and, as such, unworthy of trust—that his testimony is not true. Christ replies that his testimony is true, albeit coming from himself; for he knows whence he cometh, and, furthermore, he is not alone his own witness, for the Father is with him, and beareth witness to him (vs. 14, 16, 18). The *και λαλω* in the second member of Christ's answer (vs. 25), "I also declare," has reference to the refusal of the Jews to accept his own declaration (v. 13). He now threatens (vs. 24-25) that they shall die in their sins if they refuse to believe him to be the Messiah; and, to their question, repeats emphatically that he is that what he also preaches himself to be.

Those of our readers who wish to see the whole subject of vernacular versions treated in a manner at once comprehensive, learned, and interesting, we would confidently refer to Dr. Beelen's work already cited, i.e., *Grondregels*, &c. But it requires little learning or research to see that the version of the "Final Committee" is by no means final, except so far as its numerous blunders, as well as its crude, harsh, and yet pedantic style, may serve as a warning to others to undertake only what they are competent to fulfil. As remarked at the outset, we have declined to criticise it in this paper, further than to refer to a single passage as a specimen of the *tout ensemble*, but we intend to take up a chapter or two on a future occasion, and compare them with the original as well as with other English versions, if only for the purpose of showing our readers that the *quasi* pundits of the Final Committee would require to go to school a little longer.

- ART. VII.—1. *Principles of Human Physiology, with their chief application to Psychology, Pathology, Therapeutics, Hygiene, and Forensic Medicine.* By WILLIAM B. CARPENTER, M. D., F. R. S., &c., &c. Philadelphia, 1856.
2. *Clinical Lectures on the principles and practice of Medicine.* By JOHN HUGHES BENNETT, M.D., F. R. S., Professor of Institutes of Medicine in the University of Edinburgh. New York.
3. *Histoire de la Médecine.* Par Daniel Leclerc, Genève.
4. *Histoire de la Médecine depuis son origine jusqu'au dix-neuvième siècle.* Paris, 1846.
5. *Institutiones historię Medicinę.* Nuremberg.

A SOUND condition of body being a prerequisite to the proper exercise of every faculty, one would naturally look far back into antiquity for the first observations on the disturbing causes of health, and would expect to find them only by deep thought and patient research. Yet the recorded views of men who have devoted themselves to such enquiries are very few and unreliable when we carry our ken beyond the time of Hippocrates. Mythology furnishes some information on medical matters in the earliest historic times, but even that is a garbled tradition of the pre-Hellenic epoch. Homer makes mention of two physicians, Machaon and Podalirius, whose chief skill consisted in staunching wounds and effecting a temporary alleviation of pain. Were it not, indeed, for the famed story of Æsculapius, we would scarcely have proof sufficient to establish the existence of medical men as a separate class among the earliest communities. This tradition, however, conclusively shows that as far back as authentic and even legendary history goes, there existed men who made disease and the healing art a special study, and derived their means of subsistence from the practice of their craft. Beyond this, however, very little has been handed down to us, and it is probable very little could, for observations and theories which proceeded on the assumed truth of the crude philosophic systems of the early Greek and Eastern schools, must have been either barren of result or entirely false.

This applies especially to principles and facts underlying pathology and therapeutics, for isolated observations and the description of symptoms were both nu-

merous and marked by much acuteness even before the time of Hippocrates. The works of this great man were the first embodiment of the studies and observations of those who had preceded him; they remain to this day a monument of unwearied industry and wonderful fidelity to nature. Yet the restrictions placed on human dissections and the undeveloped state of collateral science led him into countless grave errors. But that which especially detracted from the usefulness of the labors of Hippocrates was his constant identification of effect with cause, mistaking the symptoms of disease for the disease itself. And here it may be well to mark a fallacy which has greatly retarded medical science from Hippocrates to Cullen, and has radically falsified every system of nosology. In medicine, as in all unma-tured sciences, effects have been mistaken for causes, the signs of facts for the facts themselves; and hence systems, proteus-like, changing every day. Ignorance of sound physiology and anatomy precluded the true solution of the various diseased conditions of the human system, and hence the explanation of the effects was sought for in the effects themselves. The immediate successors of Hippocrates added but little to the researches and discoveries of the Father of Medicine, and we have no record of improvement down to the time of the Ptolemies. The Alexandrian School of Medicine instituted a new manner of enquiry in harmony with its own philosophy. The analytical method naturally pointed to dissection as the true means of unlocking the secrets of the human frame, and shedding light on the multifarious phenomena of disease. For awhile the Alexandrian doctors devoted themselves with ardor to the study of disease in its various forms, seeking to connect its phenomena with the facts and principles dissection had revealed to them. Their labors were productive of grand results, and remained for a long time a beacon light to all students of nature. Herophilus, the most celebrated of their number, made six hundred dissections, and so great was his authority in medical matters that the following saying, remarkable only for bad Latinity and false principle, passed into an aphorism: "*Contradicere Herophilo in anatomicis est contradicere evangelium.*"

But the same tendency to philosophize and draw inferences from unwarranting premises, which marked the comparative anatomy studies of Aristotle, greatly detracted from the utility of those labors, and the ruin which involved

the famous Alexandrian library robbed us of the fruits of the Alexandrian researches. But the destruction which overtook the works of the Alexandrians did not await the principles discovered by them. On the authority of Galen we may refer the most important system of early medicine to Philinus, an immediate disciple of Herophilus. Hippocrates did not confine himself to observation, but, impelled by the activity of his enquiring mind, sought to assign causes and invent theories. This laid the foundation of dogmatism, and soon the Hippocratic physicians, discarding observation completely, studied disease by the light of pure reason. The result was a speedy lapse into insane and fruitless speculation. To counteract this pernicious tendency, Philinus, instructed by the example of Herophilus, strongly urged the necessity of a return to observation and clinical studies, ridiculing the mystical doctrines of the dogmatists. His efforts were eminently successful, for soon he found himself surrounded by a brilliant host of observers, who severely condemned the dogmatic doctrines, and established the system of empiricism. Many names of remarkable empiricists have been handed down to us, the most celebrated being Heraclides of Tarentum, the first to introduce opium into practice.*

In the system of the empiricists we discover the germ of the modern inductive method, and therefore feel no surprise that it should have led to many valuable discoveries. Its chief contributions, however, were in the *materia medica*, for so thoroughly had it set itself in opposition to the dogmatic system, that it abstained from deep pathological studies for fear of running into speculation. The empiricists, therefore, confined themselves almost entirely to the testing of various remedies in the different diseases and conditions of the system, and little came from their labors except a knowledge of the efficacy and mode of administration of certain drugs. But had not even such a practical result flowed from the empiric theories, yet incalculable benefit followed the changed direction of the medical mind, from enquiries into essential and inscrutable causes to the real and the tangible. The other systems of medicine which grew up in the East were more or less connected with the superstitious religions of the time, or had their origin in the mystical systems of philosophy of Anaxagoras, Zeno, and Pythagoras. Proceeding to the West,

* Galen, *De subfigurat. Empir.*, Cap. *Uit.*

we find the cultivation of medicine little attended to by the people of Italy, and Pliny assures us that the Roman people had been without a physician during a period of six hundred years. There were several temples consecrated to numerous deities, whose intervention was all the people could depend upon, even in the severest epidemics. Thus Tomasini * gives an inscription taken from a votive tablet dedicated to the goddess who presided over fevers :

"Febri divæ febri
Sancto febri magno
Camilla Amuta pro
Filio male affecto P."

Macrobius mentions a goddess called Ossifyga, who presided over the growth of the bones, and the goddess Carna, who took charge of the thorax and abdomen.† It is by many supposed that the slaves of wealthy Roman masters were the first to practise the healing art at Rome, and for this reason the profession was for a long time held in disrepute. About one hundred years before the Christian era, Asclepeides came to Rome, and having failed as a teacher of rhetoric turned his attention to medicine. From the little we know of his mode of practice we can imagine him to have been the pink of impostors, for he rendered himself great by decrying the works of his predecessors, and by working alternately on the fears and ignorance of the Romans. Yet from Celsus we learn that he first introduced the distinction between chronic and acute diseases, and thus greatly contributed to the advancement of the science. He also introduced the antiphlogistic regime, pushing it to an extreme degree. Herein, however, his immediate successor and disciple Themison, of Saodicea, greatly outshone him, having often reduced his unhappy patients to the verge of starvation. His successes may be estimated by the line of Juvenal,

"Quot Themison egros autumnò occiderat uno."

This Themison founded a system called by him *Methodism*, which seemed to combine the practical tendency of empiricism with that proneness to speculate which marked the system of the dogmatists. But the wide compass of questions which it undertook to solve, without any well-defined

* In Grov. Thesaur. Roman Antiquit., vol. xii., p. 867.

† Macrob. Saturnal., lib. 1, p. 12, 3 ed. Ald.

method of proceeding, at once took from it all individuality as a system. After the time of Themison the study and practice of medicine spread very rapidly in Rome, and soon it became customary for physicians to visit their patients accompanied by their pupils. To such a practice the following epigramme of Martial would seem to point :

"Languebam; sed tu comitatus protinus ad me
Venisti, centum, Symmache, discipulis
Centum me tetigere manus aquilone gelatæ
Non habui febrem, Symmache; nunc habeo."

The methodic school, though no longer preserving its identity further than the name, gave many other celebrated men to Rome. We may mention Soranus and Calius Aurelianus, the former a native of Ephesus, the latter an African by birth. This Calius Aurelianus wrote a work on the cause, progress, and treatment of disease, which is considered one of the most valuable that has been handed down to us from antiquity, and though bearing the stamp of the iron age in its style, it contains most accurate and graphic descriptions of disease. In the time of the Emperor Trajan lived Rufus, a man to whom medical science is greatly indebted, and whose anatomical discoveries are verified by the latest dissections. Though he did not use his scalpel on the human subject, he found sufficient in the brain and viscera of apes and other animals to build up a system of analogical anatomy. His works have been edited in England by Clinch, and are frequently quoted by modern writers on medicine.

At this epoch appeared the elder Pliny, who collected in his *Historia Mundi* all the systems which had been broached from Hippocrates down, and though his own studies did not tend in that direction, yet he has interwoven in his history of medicine many original reflections and set forth many views, all which bespeak the profound mind of the great naturalist. Few names of importance meet us from Pliny to Galen, though the number of enquirers had commenced to multiply exceedingly. Galen revived the practice of Hippocrates, which had fallen into desuetude, and set himself ardently to work to restore the principles and teachings of the great Coan Physician. His splendid talents and untiring assiduity soon enabled him to outstrip his master, and established him as the first authority in medical matters, a position he held undisputed claim to till the commencement

of the sixteenth century. Of him Cabanis says : "Dissatisfied with what his masters taught him as incontrovertible truths, and as the immutable principles of the art, he read Hippocrates' works, and was struck, as it were, with a new light. In comparing them with nature his astonishment and admiration redoubled ; and Hippocrates and Nature thenceforth became the only preceptors to whose instructions he would listen." It was not, however, in the same field with Hippocrates that Galen distinguished himself, for he did not turn his attention, like Hippocrates, to the study of disease by the bedside, but devoted himself to anatomy and physiology, and it was in the former branch especially that his authority was paramount. Indeed, so deeply rooted was the reverence with which all regarded the authority of Galen, that nerves, muscles, and blood-vessels which he had stated to exist were accepted on his authority alone, though against the repeated evidence of experience. His name had become as infallible authority in medicine as that of Aristotle in philosophy, and there was no appeal from the *ipse dixit* of the master. Once, however, that unshackled minds began to question this authority his name lost its influence and prestige, for it was found that he had stated many things on insufficient grounds, and had drawn conclusions too hastily. With Galen departed the greatness of early medicine, for though many, especially among the Greeks, still labored in the walks of science, they were little more than mere compilers, and medicine began to feel the retrograde influence which marked the approaching downfall of the Roman Empire.

From this period to the revival of science in the age of Dante we have but confused and unsatisfactory accounts of medical progress. Indeed, it would seem, from the downfall of the Roman Empire to the revival in the thirteenth century medicine had passed into the hands of a class of men who had in view their own interest solely, and made the healing art the handmaid of barbarity and superstition. The most cruel and absurd remedies were used, many of which at once violated decency and inflicted extraordinary suffering on poor patients. We will mention *hoplochrysa*, or anointing the instrument which inflicted a wound ; the healing of scrofulous sores by the touch of royalty ; the entrails of toads used for the cure of certain diseases ; and the sympathetic powder, which, if applied to the blood-stained garments of a wounded person, had the reputed virtue of healing the wound, though the

sufferer were at a distance. In the East, however, the same retarding causes not being at work, medicine found many warm and successful prosecutors. But a provision in the religious code of the Mohammedans, by which human dissection is forbidden, debarred Eastern physicians from the richest source of medical knowledge, and though their descriptions of maladies are very truthful, and their list of simples and remedies very full, they failed to create a system, or advance one well-sustained theory. The intellectual activity which characterized the close of the thirteenth century extended itself to medicine, and the first effort made was to disenthral science from the dominion of superstition and charlatanism. Men now began to labor for the truth, and not to be affrighted if their intellect inclined them to approve what did not strictly conform to the square and compass of Aristotelian logic. The inductive method began to be practised, and this, like the method of the Alexandrian physicians, pointed to dissection as the key to medical science. Accordingly we find the first modern dissection of the human subject made by an Italian physician, Mondini de Luzzi, towards the close of the thirteenth century. The results, however, were not followed up very zealously, for public prejudice and short-sighted legislation placed an insurmountable barrier between the student of nature and the means of extending his enquiries. A period of stagnation therefore followed, and though the causes which were silently effecting radical and permanent changes in the tone of the European mind were influencing medicine as well as other sciences, yet, not eliciting the same attention as religion and social and political sciences, the latter made but little progress.

Vesalius, a distinguished physician of the sixteenth century, resumed the labors of Mondini, and laid the foundation of our present anatomical knowledge. The character of this man entitles him to more than a passing mention here, for his virtues impart additional weight to his labors and discoveries. Wedded by religious bent to an ascetic and retired life, practising the noblest precepts of morality, he hesitated not to revive human dissections, former attempts at which, as in the case of Mondini, had provoked general disapproval and the censure of the authorities. Vesalius, however, strong in the conviction of right, defied the anger of the populace, and in the presence of the crucifix, with eyes uplifted to heaven, imploring the divine blessing

on his work, performed the first modern dissection which has led to permanent results. The purity of his intentions, and the noble views which animated him, have helped to remove the scales from the eyes of law-makers and to destroy the deep-rooted prejudice which ranked dissection among the works of darkness. Ambrose Paré was the first to turn to practical account, in surgery, the labors of his predecessors, and by his position as surgeon to several European sovereigns was enabled to obtain widespread notoriety for the principles he taught and practised. Paré systematized the disconnected researches of former surgeons, and made the first valuable contributions to the magnificent structure since reared by John Hunter, Dupuytren, Abernethy, and Sir Astley Cooper.

Similar progress marked the other branches of the science, especially obstetrics, which was rescued from the hands of empirics by the labors and studies of Saxtroph of Copenhagen, and Solayres de Renhac of Montpellier. The last century and the commencement of the present were marked by numerous and important improvements in every department of medicine; and both Great Britain and the Continent furnished many names which will live for ever in the archives of the science. Italy boasts the names of Lancisi, Morgagni, Monteggia, Scarpa and Asselini; Holland, Albinus, Camper, and Boerhaave; Germany, Haller, Heister, and Soemmering; France, Dupuytren and the illustrious Bichat; England, Cullen and the Hunters; while America need feel no shame at the name of Benjamin Rush.

But the labors of those men, numerous and useful as they are, pale before the brilliant wonders of the last forty years. Physical examinations, chemical tests, microscopical histology, and the use of anaesthetics in surgery are but a few of the inappreciable benefits of this century. To present a full tabular statement of the improvements the last forty years have witnessed in every department of medicine, would be a task almost interminable, and altogether beyond our purpose. It is not so much our aim to present striking or original views to professional men, as to interest the general reader in such progressive changes as have elevated medicine to the rank of a science, rendered it a potent agency of civilization, and entitled its patrons to the respect and gratitude of enlightened men. Many persons, even among the better informed, grossly misjudge the character and influence of medicine, measuring it rather by what it has failed to accomplish than by the wonders it

has realized. These people constantly complain that medicine has not more than half covered the field of investigation ; that the subjective portion of the science is jejune, compared with the unlimited domain of the objective ; that mortal flesh will ache and weary for many a day before medical resources can relieve all the ills to which it is heir. In their estimation, every science is purely constructive, and tends to perfection, not in proportion to what has been actually accomplished, but to the decreasing demand it may be called upon to meet. Thus, let a new and intricate legal problem arise, and the solution of it will be at once discovered in the existing principles of law, for this is a constructive science, and advances, *pari passu*, with the requisitions that are made upon it. But how different in medicine—a science based on facts, and not on theoretic principles, and whose field of enquiry is commensurate with the three physical kingdoms of nature. As regards such persons, therefore, our aim is to convince them that in the domain of medical research the human mind has operated with as much activity and success as in any other field, and that the labors of medical enquirers are to be estimated by the positive results reached, and not by the width of ground left unexplored. Moreover, some help may be given to the crusade undertaken in the pages of this Review against an unprincipled class of men who batten on the credulity of the people, by contrasting the solid and profound labors of recognised medical investigators, their great erudition, their conscientious regard for duty, and their consequent reliability, with the glitter and tinsel, the hollowness and immorality of quacks, empirics, and innovators.

The practical applications of medicine depend for success on the knowledge of physiology, which in turn looks to anatomical science for the means of reaching maturity. We may therefore consider anatomy as fundamental, and must first enquire what developments it has lately received, and how such developments have been effected. Dissection revealed to the enquirers of the last century and the commencement of the present nearly all the facts of anatomy which the unaided eye could discover, so we must look elsewhere for the agent which has enabled later anatomists to make so many and such valuable contributions to science. Such an agent is the microscope. This instrument, known as far back as the seventeenth century, was for a long time held in light estimation, being considered of no greater

importance than a means of agreeable pastime. Robert Hooke in 1667, and Leewoenhock, whose researches are recorded in the Philosophical Transactions of 1673, first brought microscopy to bear on the sciences and were richly rewarded for their pains. Their few and simple discoveries were hailed as precursive to new and most important enquiries, and the attention of opticians was at once directed to the means of improving the simple instrument hitherto employed. But little progress, however, was effected, even after the introduction of combined lenses, till after the first quarter of the present century, when a means of correcting chromatic aberration was discovered, since which time the instrument has become a power, the grasp and ken of which can be measured but by the marvels it has disclosed, the grand hopes it has realized. It has created a new science in the bosom of anatomy; it has poured a flood of light on the ultimate structure of animal organization; so that histology, or the science of tissue-making, is now regarded as the phase of anatomical science most pregnant with truth, most fraught with brilliant hopes for the future. Every tissue of the body has been subjected to the searching gaze of the microscopist, and a collation of results has led to the enunciation of this law, that all living organisms are the products of elementary cells, the differences in which determine the differences of the product. The influence of this law on physiological researches may be appreciated when we state that every difference of structure implies a difference of function; whence it is to be inferred that tissues which the naked eye proclaims identical in structure and in functions differ in both those respects when the microscope has revealed a difference in their primordeal cells. Of the application of these laws we have a striking illustration in the mucous and serous membranes of the body, touching which some physiologists and anatomists maintain that the knowledge of the intimate structure of those tissues would lead *a priori* to a knowledge of their functions. Cells in general consist of an outer wall, a contained substance, either liquid or solid, and a nucleus. They are differently shaped, being either spheroidal, fusiform, star shaped, caudate, or polyhedral. They develop themselves differently, the difference depending on the results to which they give rise.

The latest microscopists give two fundamental modes of development, the one taking place by a division *de novo* of the cell itself, the other by the creation of new cells through

the operation of the vital forces, in a fluid prepared for that purpose. The secondary modes of development are more numerous, but the chief among them are duplicative subdivision, where the parent cell itself is split, giving rise to two or more new cells; and endogenous development within the cell, where the nucleus is split and the parent cell perishes. In this manner are all the tissues of the body developed; and, as has been heretofore remarked, on the characteristics of the shape and the manner of development of a cell depend the peculiarities of the function of the organ which springs from it. Thus microscopy, going back to the *ultima ratio* of animal organization, has traced, step by step, its successive development from a simple cell to that marvellous structure man, the beauty of the world, the paragon of animals. Not only has the normal growth and structure of the body been revealed by the microscope, but it has thrown wonderful light on the minute changes produced by morbid conditions of the system. In this way it has become an invaluable means of diagnosis and there is a prospect that continued microscopical observations will disclose a peculiarity of cell formation and development in every diseased organ as it has already done in the case of cancerous growths.

The liver and the eye may be taken as type cases of what microscopy has accomplished in the minute anatomy of special organs. The liver, for a long time viewed as a homogeneous mass, suddenly revealed to the eye of the microscopist a structure most complex and beautiful, a symmetry and design everywhere visible, the minutest portion exhibiting on the field of the microscope an arrangement of lobules, cells, nerves, and bloodvessels, that challenged the warmest admiration. To Kiernan and Handfield Jones in Great Britain, and Kolliker in Germany, we are indebted for those interesting microscopical discoveries in this organ. The study of the minute anatomy of the liver immediately wrought a complete change in the physiological views which had been held concerning it, so that it is no longer considered a mere manufactory for bile, but as discharging the far more important rôle of repairing the waste of nervous tissues. Among the productions of the liver, cholesterine has been especially remarked, and numerous experiments have shown that this substance is much employed in the active processes of the nervous system. Thus the liver, instead of secreting a mere excrementitious substance, for such to a great extent is bile, is invested with the far nobler function of supplying a

waste occasioned by the exercise of our highest faculties. Pathology, ever looking to physiology for new developments, availed itself of this discovery to abandon the use of drugs which had for effect the constant stimulation of the liver, and, as Dr. Van Buren, of the New York University, lately remarked, the day is not far distant when the liver will cease to be considered a mere objective term for calomel.

The eye also offers an instance where the labors of microscopical observers have been brought to bear with the happiest results. The discovery of the retinal expansion of the optic nerve, or Jacob's membrane, has wonderfully helped to elucidate the phenomenon of vision. Those exquisite nerve fibres spread over the retina seemed specially fitted to take cognisance of the delicate undulations of light. Indeed, proceeding on the data furnished by the microscopical anatomy of the eye, Dr. Draper has propounded a theory of color-vision which bids fair to supersede all hitherto received views.

As in every science where the mind has deployed its activity with success, so in anatomy men have passed the limit of the experimental and gone into the region of the speculative and transcendental. We have, therefore, a transcendental as well as a microscopical anatomy; and though the speculations have not as yet assumed a very orderly shape, they at least testify to the ardor with which anatomical science is cultivated. Within that happy mean, those bounds—

"Quos utra citraque nequit consistere rectum."

Such speculations give forth much that is beautiful and true; but the German medical mind, taking the cue from the philosophy of Fichte and Schelling, has evinced a tendency to transcendentalize beyond measure. Transcendental anatomy has for its object to reduce and simplify organic types, to establish harmony and unity of design in the various forms of animal life, and thus fill the mind with the depth and the riches of that wisdom which has known how to engraft infinite variety on wonderful unity and order. Already one important result of those speculations has been to refer rudimentary organs to this design of nature to preserve unity of type in all her works. Thus the rudimentary mammae of the male are doubtless for the purpose of rendering less striking the necessary imperfection involved in the distinction of the sexes. Passing now from these reflections, and the countless benefits microscopical labors have bestowed on medical

science, especially within the last ten years, we come to the consideration of a question, the practical solution of which, but lately discovered, has robbed surgical operations of their most formidable feature. Ever since surgery became an art, humane men have sought a means of mitigating the fearful pain attending its operations, for not even the most hardened could steel himself against the shrieks wrung from the agonized victims of the knife. Indeed, if we carry ourselves back in thought to the day when wretched sufferers were bound hand and foot to the operating table, with nerves strung to the keenest sensibility by visions of blood and torture, we cannot but hail the discovery of *anæsthetics* as a crowning benefaction to human kind. Berzelius was the first to direct attention to the *anæsthetic* properties of oxygen and hydrogen combined, the elements which enter so largely into the composition of sulphuric ether and chloroform. "*Une atmosphère composé,*" he says, "*de gaz oxygène ou de gaz hydrogène substitue au gaz hydrogène rend au bout de quelque temps lourd et comme engourdi mais ne produit pas d'autres signes de maladies.*" His experiments, however, were confined to Guinea pigs, and led to nothing permanent. Sir Humphrey Davy succeeded, by means of nitrous oxide, in producing a partial and transient *anæsthesia*, and the *anæsthetic* power of ether was alluded to by Professor Samuel Jackson in 1833. Not, however, till the year 1846 was such a state of insensibility produced as to render a cutting operation quite painless.

In 1845, Dr. Morton experimented with sulphuric ether, and frequently by means of it extracted teeth without causing pain. In October of the following year he induced Dr. Warren to administer it in a severe surgical operation in the Massachusetts General Hospital, and the results surpassed the most sanguine hopes. Immediately a patent was granted to Dr. Morton by the United States Government, and after that few serious operations were performed in any hospital in the country till the patient was first brought under the *anæsthetic* influence of sulphuric ether. But Dr. Morton did not long retain the undisputed title to the discovery of this inestimable boon to sufferers; and though it is not our intention to discuss the merits of the "*Ether Controversy*," we will state the general results which follow from it. Dr. Jackson contended that he had made successful experiments with ether many months prior to Dr. Morton's first recorded attempts, and the Paris Medical

Academy gave the semblance of truth to this claim by awarding a prize to Dr. Jackson, a judgment it shortly after reversed by the bestowal of a similar prize on Dr. Morton. Many, however, are even yet of opinion that Dr. Horace Wells is the true discoverer, and that Morton treacherously wrested the secret from him. Those pretensions, put forward by the widow of Dr. Wells, could not, however, be sustained before a court of law.

Like many great discoveries which have stamped epochs in the history of the world, the introduction of anæsthetical agents in surgery may be considered a combined result of minds operating at different times and places. In 1847, Dr. Simpsor, of Edinburgh, substituted chloroform for sulphuric ether, having found it a far more powerful, though more dangerous anæsthetic. True, it does not fill up the air passages, thereby causing danger of suffocation, as does sulphuric ether, but it reduces the activity of the circulation with great rapidity. For awhile it obtained general favor, till nearly one hundred fatal cases occurring in quick succession caused it to be regarded with great dread, and a general cessation of its use followed. It was resumed when a few experiments proved its efficacy in difficult cases of parturition, an efficacy all the more wonderful as the peculiar condition of the system at the time of labor renders the administration of it very much safer. Here, however, the use of chloroform met many and vehement adversaries, some contending that it diminished the safety of instrumental delivery, while others maintained that it nullified the divine injunction, "In sorrow shalt thou bring forth," and even to-day many practitioners of the old school would be horrified at the mention of chloroform in connection with parturition. A more enlightened sentiment, however, recognises the inestimable blessings which have flowed both from chloroform and ether in the hands of prudent and educated men, and attaches no weight to the puerile objections urged against their use.

Though the introduction of anæsthetical agents may be viewed as the most important advance in modern surgery, other and later improvements bespeak for their authors much greater skill and ingenuity. And as an American hospital witnessed the first painless surgical operation, so from American hospitals have issued the latest and most useful surgical improvements and appliances. Thus we find that to Americans are accredited the following among many late additions to surgery: the

simple and effective plan of adhesive strips, instead of the cumbrous and unsatisfactory apparatus before employed; elastic extension by weights and pulleys, introduced by Dr. Buck, of New York Hospital; plaster of Paris casts instead of starch splints for keeping fractures and dislocations in position; Davis's splint for hip-joint disease; hypodermic injections of morphia, an admirable means of relieving local pain, the morphia is injected beneath the skin; scarification of the glottis for œdema, a difficult operation, but successfully performed by Dr. Buck, of New York Hospital; the operation for strangulated hernia without opening the sac; the use of water-bed in injuries of the spine. Here the credit is due to Dr. Arnott, of London. But a categorical enumeration of all late and important improvements in surgery would lead us far beyond our purpose, so we will content ourselves with a reference to one or two more. Dr. Marion Simms, of New York, at present residing in Paris, has introduced many and signal changes in the manner of treating the surgical diseases of women. The use of silver sutures in vaginal fistulas would alone entitle him to an eminent rank in his profession. Dr. Emmett, of New York, is Dr. Simms' representative in this country, and frequently performs his most difficult operations. The other improvement acquires additional interest from the fact that it is connected with a notable event in European politics. It will be remembered that a few years ago Garibaldi was severely wounded in the foot at Aspro Monte, during an engagement with a regiment of Victor Emanuel's army. The ball lodged among the small bones of the foot, and could not at first be distinguished from the shattered fragments around. Several eminent surgeons from London and Paris vainly attempted to extract the ball, till Dr. Nélaton of the latter city devised the following ingenious means of distinguishing the lead from the bones: He adapted a small spherical piece of Sevres china to a handle, and with this probed the wound. The surface of the china was at once blackened by contact with the lead, and thus the precise position of the ball was ascertained. Though very simple, this little instrument has proved exceedingly useful during the present war; and the writer has witnessed operations of the most serious character, where, but for this ingeniously constructed probe, nothing could have been done.*

* Dr. Gouley, late Surgeon to the Central Park Hospital, discovered, by means of this probe, a bullet lodged in the substance of the brain, amid fragments of the frontal sinuses, and successfully extracted it.

These are a few of the numerous improvements which have lately marked the progress of surgery, and according as surgical anatomy and mechanical skill receive further developments, many other important additions will be made to this branch of medical science. Progress in the other departments of medicine has not kept pace with the rapid developments of surgery, for in the other—and especially in the practice of medicine proper—the field of view is more sinuous and obscure than in surgery. The rancor of dispute which pervaded the schools of philosophy gradually crept into medicine; and humoralism and solidism gave as wide scope for endless though not fruitless discussion, as did the question of nominalism and realism among the schoolmen. Most that has been written on the *questio vexata*, as to whether disease has its seat in the liquid or solid portions of the body, now moulders forgotten on library shelves, but not without having sown seed which has since borne magnificent fruit. In those tournaments of the mind, those controversies wherein solemn trifles don the imposing garb of erudition, we find the latent germ of modern practice. Medical enquirers, from Hippocrates to those of the last century, seemed to view disease as a positive entity, a formidable foe, whose expulsion from the system formed the chief aim of medicine. This theory of disease could not fail to exercise a baneful influence on therapeutics, for it became a question to dislodge an enemy by a regular siege of ditch, scarp, and counterescarp, and not to assist and support the waning powers of nature. Hence what was called the *heroic* plan of treatment, which consisted in administering drugs *ad nauseam*, in bleeding, depressing, purging, and blistering, till the enemy had to surrender. As a result of the controversies alluded to, disease began at last to be looked upon in its proper light, as a negation of health, and not as a distinct entity residing in the system. When acute minds perceived the fallacious principle that underlay the treatment in vogue, they turned to study the means of helping nature in her efforts towards recovery. A deep and wide-spread revolution was then effected in the practice of medicine, a revolution which continues to this day, and which has worked out many changes for the better and for the worse. Among the former, happily the more numerous, a restriction to such drugs as a rational understanding of disease indicated, may be instanced as of primary importance. But this decided step in advance became the occasion of a great and growing delusion yecept Homœopathy, which has sprung

up like a upas in the land. As in all radical changes of systems, the mind tends to revolutionize to excess; so in medicine the step was brief from the moderate changes which rational practice commended to this monstrous dictum of Hahnemann, the father of homœopathy. The latest improvements in our art demonstrate that a single small sized pellet moistened with the decillionth part of the drug would have been fully adequate to perform the cure; nay, it is equally certain that the smelling of it would have sufficed! We here have the key-note to homœopathy, and since it has become a recognised power in the country, we will set forth a few reasons which may help to explain the mystery of its success. There being few subjects on which the popular mind is less informed than the vital one of medicine, nothing is more natural than that it should fall an easy prey to the ingenious deceptions of quacks and empirics. Of this we need no stronger proof than the success of those advertisements and pamphlets in which are contained a few plausible ideas couched in half-scientific, half-popular language. In this way, no doubt, homœopathy has made rapid strides in public favor, especially when advocated by the pens of a few able writers. But this explanation does not suffice to account for the undeniable good results which have flowed from the so-called homœopathic practice; and, "though," to use the words of Sir John Forbes, physician to the Queen's household, "it is melancholy to be forced to make admissions in favor of a system so utterly false and despicable as homœopathy, yet truth compels us to give it credit for what good it has done." Setting aside the healing effects of faith in a system, a common cause of cure in nervous complaints, we will perhaps discover the true solution of the problem in the fact that successful homœopathic practice is allopathy in disguise. Thus we frequently find employed by homœopaths such drugs as strychnine, atropine, morphine and quinine, the chief remedies used by regular practitioners, and surely this cannot be called legitimate homœopathic practice. Moreover they purge, blister, and administer emetics where the required indications exist, and it is only when the obscurity or severity of the disease baffles their skill that they resort to the jugglery of their sect. The truth, therefore, touching homœopathy may thus be summed up: when the fraternity act in accordance with their avowed principles, they do no good; when positive good is accomplished by them, if the result be not due to the workings of an ardent imagination reposing implicit confi-

dence in their system, it is attributable to the intervention of what they call allopathic practice; and when by proper hygienic measures they prevent disease, they are entitled to credit for it, but not on sectarian grounds, for hygiene is neither of homœopathy nor of allopathy. Indeed the chief credit of homœopathy springs from its careful system of prophylaxis, and those who practice it deserve recommendation just as the physicians among the Chinese, who are paid while people are well, but are promptly dismissed on the advent of sickness. The success of homœopathy was a signal for a thousand other fallacies springing up in its wake, each succeeding one more monstrous than the former, till the following formidable array is exhibited by the New York Medical Register for 1864: "The whole number of persons professing to practice medicine in some form or other in the city of New York, at the present time, is 1,234:

Males	1,188
Females	46
Regular practitioners	643
Homœopaths	133
Advertisers	122
Known to be abortionists	52
Quack specialists	68
Undetermined	98

The remainder designate themselves "Analytical," "Bottanic," "Magnetic," "Hygeio-Electropathists," "Electro-Chemical," "Metaphysical," "Eclectic," "Hydropathic," "Indian," "Pantological," "Clairvoyants," "Physopaths," "Medical Astrologists," &c. &c. Yet most of those impostors make money and drive fast horses; while many well-educated and industrious physicians eke out but a mere competence.

Although so long as ignorance will give countenance and support to heterodox systems of medicine we cannot hope to see the evil of quackery entirely extirpated, yet much that could have been done to render it abhorrent in the eyes of sensible persons has been left undone, owing to the supineness and apathy of the profession. The most effective weapon against ignorance and imposture would be the establishment of a higher standard of requirements in candidates for medical degrees, a more elevated tone in our medical schools, and a careful exclusion from them of persons who have disgraced their previous lives by unjustifiable practices. Raw country boys, smelling of the hoe and the rake,

or those who have done nothing but jump counters since they were as high as one, are not such as a few years spent in a medical college can fit to be care-takers of the public health. We have but to glance at a few of the theses which are annually handed in by aspirants for medical degrees to witness an exhibition of the profoundest ignorance of the principles of spelling and syntax, not to mention the higher requisites of rhetoric. Then we sometimes see colleges bestow diplomas on those who advertise or in some manner deceive the public. We have this moment before our minds the case of a man thoroughly ignorant both in speech and manner, who obtained a diploma from one of our first colleges, although before he began to study medicine he used to fill the daily prints with shameless lies, professing to cure the worst cases of consumption. Now that he has received a license to practice he riots in the most extravagant Munchausenisms, and invites the public to see a boy who had eaten nothing for a fabulous length of time, and whom he has rescued from the grave. While such things continue we cannot but expect to find unmedical people fall into serious errors concerning the true character of the medical profession. There has been some talk among a few eminent physicians about remedying those evils; but whatever their intentions may be, their action is decidedly null.

Although ignorance and quackery thus beset the progress of legitimate medicine, yet enough has been accomplished to prove that its tendency is undoubtedly progressive. Observation, unaided by the results of collateral sciences, the same species of observation which has been practised from Hippocrates down, has brought to light within the last fifty years many important facts which entirely escaped the attention of the ancients. Physical examination may be considered the most valuable help to diagnosis which pure observation has bestowed on modern medicine, and all the more important, as it leads to the detection of disease in those regions of the body where disease most frequently has its seat. The older physicians, having been unable to penetrate the arcana of the system, confined their observations almost entirely to superficial changes. Their works, therefore, teem with labored descriptions of the changes of skin, countenance, color, and configuration, which supervene on diseased conditions, but are entirely silent on the more significant changes taking place within. The cultivation of anatomy both morbid and healthy first suggested the possibility of estab-

lishing a connection between the state of an internal organ and the character of the sound it gave forth. The French physician Laennec, therefore, gave *auscultation* as the result of enquiries thus suggested. By means of this diagnostic aid a skilful physician is now enabled to determine the exact aberration from the normal standard of those important organs the heart and the lungs. Unhappily, too many people know with what unerring accuracy an experienced doctor can tell them how far and in what way they are affected; what their chances are of longevity; what feelings, agreeable or disagreeable, they will experience in the course of their ailment, and this after a few moments' careful examination. Since Laennec's time *auscultation* has been successfully practised in diseases of the brain, and promises soon to reach such a degree of perfection that through it incipient deviations from the normal state of things in that organ will be readily detected. Midwifery also has profited by this improvement, for auscultation of the foetal heart is looked on as an important means of determining the position of the foetus *in utero*. Chemical tests rank next to physical examination, and may be considered an off-shoot of organic chemistry. By chemical tests the first inroads of that formidable disease, Bright's disease of the kidney, are detected, and if the progress of the disease can be at all arrested, it is when chemical reaction first discloses its presence. In medical jurisprudence, also, chemical tests are of exceeding value, for by their means traces of poison may be detected in the system, even a year after death, and a late celebrated poisoning case proves how infallible are their revelations. Lehmann and Liebig in Germany, and Regnault in France, have especially rendered organic chemistry available to medicine by having carefully noted the action of chemical agents on animal and vegetable tissues. But chemistry has contributed in another efficacious way to the advancement of medicine, by extracting the active principles of drugs from the crude material, thus giving compact and reliable remedies instead of dilute and uncertain ones. The termination *inæ* suffixed to most of the drugs in use indicates the result of chemical extraction.

Organic chemistry lies at the root of the commonly received physiological doctrines of the present day. Before the habit of close analysis and a strict adherence to the inductive method had rejected mere names as insufficient to explain the phenomena of nature, the terms *vitalism* and *vital force* were greatly in vogue, and every event in the system was at

once explained by an appeal to the intervention of this mysterious agent. When, however, the question arose as to what was this vital force, the difficulties all returned, and it was found that a mere name had been received for an explanation. Thus, as when Toricelli discovered that nature did not abhor a vacuum, and that the maxim had been adopted as a cloak to ignorance, many rejected vital force as a mere figment and strove to find an explanation of the facts of physiology. The discoveries made in organic chemistry, and the analogy between chemical processes and the operations of nature in the animal economy, suggested a chemical theory of digestion and secretion. Facts were found in entire accordance with surmises, and every step of the digestive process can now be satisfactorily explained by chemistry. Yet there can be no doubt that life is more than a chemical process, and that growth and assimilation take place in contravention of the principles of organic chemistry. But the vitalist, from Paracelsus and Van Helmont down to Paine, cannot tell us how those mysterious processes of life are accomplished. If the chemical doctrine of physiology has failed to give an explanation of every function, at least credit is due to it for what it has done; nor is the attempt fair which has been made to depreciate chemicalism because it has failed to explain everything. At least it possesses the undoubted advantage of having given an explanation which facts have confirmed, which is more than the *vox et preterea nihil* of vitalism. According to the vitalists, the same mysterious agency which keeps together the chemically antagonistic elements of the animal fabric, presides over every function and process of life. This view would be in accordance with analogy if there existed any means of discovering what this vital force is *in se*, whether it be a direct intervention of supernatural power or some unknown agent of the natural order. But so long as nothing of this sort can be definitely known, it is only proper to accept what experience teaches, and when we find in chemistry an adequate means of explaining certain physiological functions, we should not reject it because of its inadequacy to explain all.

These services bestowed on medical science by chemistry have been the occasion of a more energetic prosecution of chemical labors.

That which, however, gives character to modern medicine is the attention it has bestowed on measures preventive of disease. It has been almost a proverb among the people

that doctors thrive on epidemics and circumstances pernicious to public health ; and indeed, history teaches us that it has always been considered the proper mission of physicians to cure and not to prevent disease. Nor is this to be wondered at when we reflect that in past social conditions the influence of the physician was very limited, the exercise of his profession being confined to personal interviews with his patients. And physicians themselves gave color to this opinion by completely disregarding prevention as a thing that did not pay ; and by looking on health as a lawyer would look on universal love, something exceedingly damaging to their business. We have the earliest testimony exhibiting this view of a physician's duties. Thus Xenophon represents Cambyzes addressing his son Cyrus : " But, child, these men that you speak of are like menders of torn clothes, so when people are sick physicians cure them ; but your care of health is to be of a nobler kind—to prevent the army's being sick is what you ought to take care of."*

No doubt, to one looking at the condition of the streets of New York and certain other large cities, it would occur that no thought was further from our legislators and prominent physicians than the adoption of proper sanitary measures for the prevention of disease. But on enquiry it will be found that the fault entirely lies with the politicians, whose nature inclines them to filth and corruption. When aided by the authorities, enlightened and philanthropic practice will accomplish incalculable good in this field, and the worth of a physician will be rated by his success in preventing diseases, rather than by his skill in curing them. Were all the drugs in the world destroyed, the loss would be but little felt if proper sanitary measures were adopted for preserving the health of the people, as then the indications for the use of drugs would be infinitely fewer. What is needed especially is, not the establishment of chemical laboratories where new extracts and drugs may be manufactured, but the infusion of a more enlightened sentiment into the lower classes of the population, that they may take precautionary measures, which would prevent more disease than all the drugs could ever cure. The plan of prevention, as synonymous with hygiene, is carried into the field of disease itself ; and to-day many diseases are treated by fresh air, tonics, and stimulants, where a few years ago the most active medica-

tion would have been employed. This is especially the case with continued fevers, such as typhus and typhoid, which are now regularly treated by fresh air, stimulation, and tonics, instead of high temperature, close confinement, bleeding, and purging. In like manner, we no longer see the heroic treatment pursued in inflammation of the lungs, a disease which gave the widest scope for the use of the lancet and the most actively-depressing measure. The antiphlogistic superstition, a relic of the doctrine of vitalism and the entity of disease, is slowly yielding to the rational sentiment which sees in every disease an effort of nature towards recovery, and which strives to direct and assist that effort. This tendency to eliminate *physicking* from sound medicine gives to it more the character of a science acting in conformity with principles, than of an experiment which, resorting to a variety of expedients, hopes to hit the right one. But popular prejudice opposes the strongest barrier to this rational tendency of medicine, for when people are sick they will be *physicked*. It is this determination to swallow all the medicines within reach which supports charlatans, nostrum venders, and pill-makers; for when a conscientious physician has declared the impropriety or inutility of further medication, quacks, who hold out delusive hopes of a speedy and sure recovery, are visited and handsomely feed for their lies. This is disheartening to medical reformers, and yet cannot be remedied till a more enlightened sentiment is infused into the masses.

To prove that this fondness for constant and heavy dosing is a fatuity of the people and not the fault of the doctors, it has been frequently observed that nowhere is there so little medicine used as in a physician's own family.

What has chiefly contributed to simplify the practice of medicine and limit the use of drugs to a few leading chemical extracts, is the more perfect system of diagnosis created by physical examination, chemical tests, and the study of morbid anatomy. Effects are for the most part more numerous and more complex than causes, symptoms more varied than diseases; and the system of medicine which would treat mere symptoms or effects must have recourse to a more complicated and varied class of healing agents. For this reason we see a countless number of remedies employed by the ignorant, in whose eyes every symptom constitutes a distinct disease. But enlightened medicine strives to penetrate mere symptoms; it unmasks the actor which produces such strange phantasmagoria; it sinks a shaft into the well-

spring of the trouble, and finds why the water comes forth muddy. What a vast deal of ingenuity would have been wasted in New York a few years ago in attempts to purify, by chemical means, the Croton water impregnated with decayed vegetable matter, had not a practical wisdom suggested an enquiry into the condition of the Croton river, and removed the trouble by removing the dead leaves which caused it. So in medicine short-sighted practice deals with symptoms, using specifics for every symptom it encounters, while philosophical practice views them but as stepping-stones to the discovery of their cause; and this discovery made removes a whole legion of complicated effects by a few well-directed remedies. Not many years ago a physician would have ordered, in a case of simple dysentery, one remedy to allay pain, another to check restlessness, bleeding to bring down inflammation, calomel, perhaps, to the extent of salivating, and something different to meet every different symptom. But now how different is the case! Nature recommends rest and a recumbent posture in all enteric troubles, and this precept is enforced by a little opium; then nature is allowed to abate the violence of the inflammation herself, while art prudently refrains from obtruding itself on her admirable processes. It will be seen, then, that the change from excessive drugging to the comparatively do-nothing system of to-day is the logical sequence of a more philosophical view of disease. But while rational enquiry has thus dismissed symptoms from the tables of nosology, it has inserted new diseases which were either supposed to have no existence at all or were confounded with other forms. Thus an imperfect diagnosis told us generally of disease of the heart, without having been able to draw those fine distinguishing lines which now separate the various valvular diseases from hypertrophy, pericarditis, and fatty degeneration. So in disease of the lungs we recognise tubercle, bronchitis, gangrene, and emphysema, all which would have once been ranked under the general head of chronic pulmonary disease. The recognition of new diseases did not, however, entail a corresponding increase in the list of remedial agents; and it may be taken as a proof of the scientific character of modern medicine, that it has known how to resolve the cumbrous nosology of the past into a few leading principles, admitting the intervention of but a limited number of therapeutical agents. But it has been urged that this restriction to a limited range of remedies is the result of professional prejudice, since physicians

will give no countenance to improvements, supposed or real, unless they originate within the profession, or conformably to conditions prescribed by medical authority. Thus, it is claimed, many admirable remedies exist whose virtues and healing properties have been fully tested, and which, however, the profession will not recognise because they have not been introduced to public notice with the stamp of professional sanction. This is a poor subterfuge of quackery, by which the unthinking alone can be caught. Of course, whatever savors of empiricism and secrecy cannot be tolerated by an enlightened body of men, and it argues well for the character of the medical profession, that the most important discoveries become public property the moment they are made, and the only patent which guarantees to the discoverer the credit of his successful labors, is the spirit of fairness and honor which prevails among his professional brethren. It may be said that we are claiming too much for modern practice, and that history still attests the supremacy of the great medical names of the past. When no other standard existed by which the progress of medicine could be estimated than the success of individual labors, *names* shone conspicuous in the role of fame, and the celebrity of a few was considered synonymous with the general progress of the profession they represented. Now, however, medical discoveries are no longer the fruit of individual enquiries, but the result of numberless minds actively and incessantly working. We no longer look to the career of a single man to measure the results of medical practice, but to unerring and carefully compiled statistics, the reflex of the combined medical mind of the world. It is by means of statistical records, authenticated by irrefragable testimony, that modern medicine can vindicate for itself the advanced position to which it lays claim. There is not a well managed hospital in the world where accurate records are not kept of the rates of mortality as influenced by climate, temperament, disease, nativity, color, and mode of treatment. In this way the comparative merits of past and present practice have been fairly tested, and an argument possessed of the weight which the most unyielding logic can impart, the logic of facts, has decided in favor of the latter. This argument has proved that the mortality bills of eruptive fevers and of inflammation of the lungs, by far the most frequent outlets of human life, are far smaller than they were even twenty years ago. In like manner the statistical records of rheumatism show a decrease in the rate of mortal-

ity and suffering strikingly in contrast with the experience of the past. And here we have an instance of a very recent change in treatment, for rheumatism used to be considered unamenable to treatment a few years ago, but the late discovery that it is due to an excess of *lithic* acid in the blood determined the alkaline treatment now employed.

Inoculation, first with the natural virus and subsequently with vaccine matter, has stayed the ravages of a disease which used to decimate whole kingdoms, and whose progress was considered fearfully irresistible. True inoculation can scarcely be referred to modern medicine, as we find traces of the practice at a very early date in the East, but the manner of its performance was so imperfect, and its mode of operation in the system so little understood, that what was then known was practically but little available. Nor would inoculation at the best have afforded a sufficient safeguard against the inroads of small-pox, for the mortality bills were but little affected by its practice. It was not till the protective qualities of vaccine were discovered that this loathsome disease lost its horrors and became harmless as a serpent robbed of its fangs. If it still sweeps destructively, over cities and towns the effects must be imputed to remissness on the part of the authorities, for experience has fully proved that vaccination, repeated at intervals of four or five years, affords infallible security against small-pox. In this way, again, does the contrast between present and past practice decide in favor of the former, and proves the decision by an appeal to statistics. And even if medicine has depended on the advancement of collateral sciences for its own developments, it has, in a measure, repaid the favor by furnishing to psychological science a light which has enabled it to make many and valuable discoveries. The study of the brain and nerves, the great sensorial system, has helped wonderfully to elucidate psychological problems which were but little understood by the ancients. Indeed, it can be readily conceived that the mind which is cognisable only by its operations, can be studied to much greater advantage when the media through which those operations take place are perfectly understood. So far the door to discovery in this direction has just been opened; but there is a prospect that a rich mine of truth will be discovered when time and study will permit. Thus medicine must be always changing, for the field of enquiry widens with every new discovery, and each succeeding discovery modifies the former. Many, therefore, who, claiming to be conservatives in politics, social

economy, and religion, wish to include medicine in the list of their immutable institutions, find the facts sadly in conflict with their views, for the essential law of medicine is change, and, with certain fluctuations, change for the better.

ART. VIII.—*Official Despatches and other Public Documents.*

OUR first impulse, as well as our first duty, on the present occasion, is to congratulate the country, North and South, on the restoration of peace and the Union; and our first wish is that the government will be magnanimous and generous, as it can so well afford to be. It is not necessary to evince any vindictive spirit; such a course would, on the contrary, be very injudicious; far from doing good, it would, sooner or later, be productive of evil consequences. Any remark of this kind would, we are sure, have been entirely superfluous, had it not been for the base conspiracy which resulted in the assassination of Mr. Lincoln, and the attempted assassination of Mr. Seward.

The most high-minded government that has ever existed could not feel otherwise than strongly incensed against the perpetrators of such atrocious crimes; and if one of the assassins can be said to have acted more brutally and fiend-like than the others, undoubtedly that one is he who struck the man already prostrated on the bed of sickness. That both assassins deserved death in the most ignominious and revolting form in which it can be inflicted by the laws of any civilized country, even their accomplices would hardly venture to deny.

Our readers are aware that we have never entertained any very high opinion of the intellectual capacities of Mr. Lincoln; but they are also aware that we have always regarded him as strictly honest, faithful to his trust, and kind and generous in his impulses. And as none admire the latter qualities, as well as the former, more than we, or set a higher value upon them, so certain it is that none more deeply deplored or more heartily regretted the untimely end of their possessor. Of Mr. Seward our estimate was indeed somewhat different; we had little admiration for his character in any form; but we have never for a moment entertained any feeling against him which would have prevented us from risking our life to save him from the hand of the assassin.

It is not necessary for us to dilate at this time on such foul and disgraceful crimes; none of our readers need be convinced that they are subversive of all law and order, and that their perpetrators should be dealt with accordingly. At the same time, we do not think that they ought to be tried by court-martial. In our opinion, it would be much more judicious, for various reasons, to hand them over to the civil tribunals. There is no good reason to believe that they would escape punishment if this were done; even the suspicion that they would does not merely imply a want of confidence in our judicial system; it also implies that the class of our citizens in the habit of acting as jurymen are, if not favorable to assassination, at least likely to find excuses for it in particular circumstances. The jury, it is true, might not agree as to the guilt of those of whose guilt there can really be no question; but another and another jury could be empanelled. We think this would not be necessary; we cannot believe that any man, wishing to maintain a character for honesty or truthfulness, no matter what his political sympathies might be, would refuse to agree to a verdict against the would-be assassin of Mr. Seward.

Did the war still continue, and that there was any prospect of success on the part of the rebels, it would then be different, and accordingly a different course would be allowable from that we should consider right now. But, assuming that it were possible for the assassins to escape, it would be better they should do so than that they should be executed in a manner which, when the moment of calm reflection came, would not be sanctioned by intelligent public opinion. If the object of criminal law were merely to make the malefactors feel that they had perpetrated crime, then the only question would be as to their guilt; it would be of secondary consequence what formalities were used in bringing them to punishment. But this is not the case. The primary object in the punishment of criminals is the salutary moral effect which it is expected to produce; but this effect is lost if the culprit has not had the advantage of being tried according to the laws of the country in which he has committed the crime. This view of the case will, we think, be the more readily assented to as correct, if it be borne in mind that even in time of war, when martial law is in full force, the proceedings of any particular court-martial may be declared null and void by the civil tribunals, in virtue of the same power by which martial law exists for the time being.

For other reasons as well as these we are glad to see that Jefferson Davis is to be tried by the civil courts. Could it be satisfactorily proved that he encouraged the assassins, or that he was instrumental in getting up the conspiracy against the lives of the principal members of the government, there would be no good reason why he should not be executed on being duly convicted, as well as the meanest of his accomplices; but thus far it does not seem that he is legally guilty in this respect. To show that he is even morally guilty in connection with the assassination of Mr. Lincoln, would require stronger evidence than has yet been obtained, so far as we are aware. Indeed, the mere fact that he has been given over to the civil tribunals for trial, while those already charged with belonging to the assassination conspiracy are on trial before a military tribunal, may, we think, be regarded as conclusive on this point. At all events, we think this much more likely than that the arch conspirator should be favored by the government.

Then if Jefferson Davis cannot be convicted of being directly instrumental in the assassination of Mr. Lincoln, we hold that he should not be punished capitally as the chief of the rebellion. That he deserves death for the untold miseries he has inflicted on the country, especially on his own followers, is beyond question; but it would not be in accordance with the law of nations, as interpreted by the ablest jurists, to execute the head of a rebellion which maintained itself so long, which fought successfully so many great battles, and to which belligerent rights were accorded by the greatest and most enlightened nations in Christendom. It is precisely to obviate extreme measures of this kind that belligerent rights are accorded by the law of nations. What the motive of any particular government may be in granting those rights is another question; the law assumes the motive to be good from the fact, however selfish it may be in reality.

Nothing could be gained by executing Jefferson Davis, if he were convicted to-morrow; such a course would, on the contrary, do much harm, as the experience of the world proves. His execution would make him a martyr; and whatever makes one a martyr serves the cause for which he has suffered. Even Cicero lived long enough to see that the cause of public justice and morality would have been better served had a milder course been pursued towards Cataline and his fellow conspirators; for those who had either

been indifferent to his cause when alive, or who regarded him as a bad man, strewed his grave with flowers.* Caesar was looked upon as very profane and by no means loyal when he delivered his celebrated speech in the Roman senate in favor of sparing the lives of the conspirators, on the ground that exile or some kindred punishment would really be greater than that of death; but the great captain raised his eloquent voice in that august assembly, not as a sympathizer with plunder and rapine, but as a philosopher, who could see the effect of acts apparently trifling in themselves on generations yet unborn.

For similar reasons we hold that Jefferson Davis should not be treated with any needless harshness; there is no necessity for chaining an old man like him, surrounded by guards, in the casement of a fortress; we hope it is not true that he has been so chained, for, if it was needless, as we say, and yet done, it can be regarded in no other light than as wanton cruelty; even to insult a fallen foe is repugnant to every generous mind, since there are none so great and powerful but that they too may be captives depending on the caprice of their jailers.

That Jefferson Davis has acted the part of a traitor—nay, a base unscrupulous one—far be it from us to deny; but we are bound to admit, at the same time, not only that the civilized world would have regarded him as a great man had he succeeded, but there are many whose opinions are not to be despised who regard him in that light even now. The female apparel in which he has been captured is a legitimate subject of satire. All who choose to amuse themselves with it have a perfect right to do so; but there is no shame attached to it; any of those many acts of his which have led to bloodshed and robbery are far more shameful. Any one trying to make his escape in time of war has a right to use any disguise which he thinks will be likely to save him; his doing so is no more derogatory to him than would be any stratagem which a general may use to avoid or bring on an engagement. Peter the Great, of Russia, once disguised himself in the habit of a Swiss girl, to avoid falling into the hands of his enemies, the Swedes. No one thinks the

* Napoleon III., commenting on this in his *Life of Caesar*, makes the following very just observations: "Cicéron croyait avoir détruit tout un parti; il se trompait: il n'avait fait que déjouer une conspiration et dégager une grande cause des imprudents qui la compromettaient; la mort illégale des conjurés rehabilita leur mémoire, &c."—*Histoire de Jules César*, liv. II, chap. III., p. 325.

less of the celebrated Lavalette because he availed himself of his wife's dress to escape from prison; whereas the circumstance has rendered Madame Lavalette famous for all time.* The wife of Davis had just as good a right to save her husband, if she could, as the wife of Lavalette. Traitor though the former was, let us honestly admit that it would have been a far greater disgrace for his wife to have deserted him in his adversity than to have sought, as she did, to save his life. We must not forget that she is an American lady; and are we to encourage our countrywomen to be less faithful to their husbands than Frenchwomen? Then let Jefferson Davis be dealt with for his real crimes, and not for what is no crime; and let Mrs. Davis not be made the subject of coarse ribaldry, because, if he betrayed his country, she, as a true woman, would not betray him in the hour of need and peril.

When there was any danger of the Republic, none were more in favor of its salvation than we. Every number of our journal issued since the war commenced affords evidence of this fact. Before any overt act had been committed by the rebels, we endeavored to show, with as little offence as possible, what the consequences would be if they really attempted to dismember the nation. In proof of this we refer to our article entitled "The Lessons of Revolutions," in the number of this journal for March, 1861, the object of which was to show what have been the special fruits of revolutions. We will extract a passage or two from this, and also give some extracts from other articles of ours, to show that we have some claim to be heard in now counselling moderation and clemency, even to the rebel chiefs. Refer-

° Let Edinburgh critics o'erwhelm with their praises
 Their Madame de Staël, and their famed LaPinasse :
 Like a meteor, at best, proud philosophy blazes,
 And the fame of a wit is as brittle as glass :
 But cheering the beam, and unfading the splendor
 Of thy torch, Wedded Love ! and it never has yet
 Shone with lustre more holy, more pure, or more tender,
 Than it shed on the name of the fair Lavalette.

Then fill high the wine cup, e'en virtue shall bless it,
 And hallow the goblet which foams to her name ;
 The warm lip of Beauty shall piously press it,
 And Hymen shall honor the pledge of her fame :
 To the health of the Woman, who freedom, and life too,
 Has risk'd for her Husband, we'll pay the just debt ;
 And hail with applauses the heroine and Wife too,
 The constant, the noble, the fair Lavalette.—*Byron.*

ring to the fruits of revolutions, we made the following remarks:

"Sometimes, indeed, the latter have been good; they have been so in our case; but it was a peculiar one. The greatest of England's statesmen, and a large proportion of the English people, admitted the justice of our complaint against taxation without representation. Nay, it was known throughout the world that our ancestors were oppressed by a government three thousand miles distant. But had there been no oppression, they had a right to protest against being mere colonists as soon as they found that they were capable of governing themselves.

"*But we owe our present troubles to none of those causes.* The Southerner has been as much an American citizen as the Northerner. This was of course his right; it was no compliment—we merely state the fact for argument's sake. The citizen of Boston, Philadelphia, or New York had no privileges from the general government more than the citizen of Charleston, New Orleans, or Richmond. If one state had different laws from another, it was only by the will of its own people, who had a right to have the same repealed whenever they found them burdensome, or in any manner inconsistent with 'the greatest good of the greatest number.' In short, if any one section of the country *enjoyed more privileges from the general government than another it was the South.* * * * *Oppression, then, is out of the question; it has not been felt in any form South more than North of Mason and Dixon's line.*"

In showing that most attempts at revolution end disastrously we adduced the case of the Swiss cantons, which seceded from the rest of the republic in 1847, but were forced to return by the stronger arm of the federal government. After briefly stating the manner in which the secession of those cantons took place, we added the following observations: "This led to the immediate formation of the somewhat famous Sonderbund—a confederacy consisting of no less than seven cantons, the avowed object of which was to form a republic of their own. The Diet (federal government) was not frightened in the least. It first reasoned calmly with the seceders, telling them that their confederacy was a direct violation of the federal compact. The Sonderbund replied only by repeating its former threats. The Diet passed a resolution declaring the confederacy illegal. The Sonderbund passed a counter resolution, and in defiance of the constitution declared itself an independent government. The Diet had now either to acknowledge the new state of things, or vindicate its authority by-the sword; but it did not hesitate for a day after it became evident that there was no other alternative. A formidable army was raised in a few weeks, which invaded the seceding cantons. The Sonderbund had made great preparations, and threatened to annihilate any federal army that would attempt to question

its independence or violate its territory; but all the latter had to do was to attack Friburg, Lucerne, and the Tessino, when the new confederacy fell to pieces." This we intended as a friendly warning against the rash counsels which first then seemed to prevail. Nor did we fail to make a distinction between the Southerners and the revolted Swiss; we admitted that the former would make a very different resistance from that of the latter, but insisted that the final result would be essentially the same.

Before our next number appeared the rebellion had commenced in earnest. While journalists who now boast loudly of their superior loyalty, and who have enjoyed no inconsiderable amount of government patronage, alternately whined and exulted—wavered like a broken reed—asking whether after all it was not better to let the rebels withdraw in peace—we, who never got one penny of government patronage, and never asked one penny, nor its value, from the day the war commenced until it was ended, spoke of the situation as follows:

"Under all circumstances war is a calamity as long as it lasts; but peace is not always a blessing. *It is never such when maintained or secured at the expense of national honor or national dismemberment. Nay, it is rather a curse—certainly a disgrace to those who sacrifice all for it.* We are all suffering more or less just now from the existing war. But how much better is it that we should undergo privations for awhile *than that we should submit to see our noble Republic torn to pieces without raising a hand to save it!* The government and the millions who sustain it have, therefore, reason rather to congratulate themselves that they did not hesitate to draw the sword when they saw that the enemies of the Union were in earnest."*

This will show that we were in favor of no parleying with those who would dismember the Republic. Because vigor and severity were then necessary, we earnestly urged both; now for the opposite reasons we urge moderation and clemency. But as we may not yet have satisfied all that we have some claim to be heard in the matter, we will turn to another article or two. Few have forgotten the effect of the Bull Run disaster and others that followed it; hundreds who made a great display of their loyalty exclaimed ominously, "I told you so!" In commenting on the same events we observed, in our September number:† "We have but little to say on the subject of the war on the present occasion; not that we are

* *National Quarterly Review* for June, 1861, art. "The Secession Rebellion; why it must be put down."

† 1861.

a whit less sanguine now as to the result than we were three months ago. We expressed no opinion in our June number which any recent occurrences have altered; in other words, we have as much faith to-day in the stability of the United States government, and its ability to overcome its enemies and put down the rebellion, as we ever had."

When so many of our own people shook their heads, and said that the Union was lost, it was to be expected that those who had long been jealous of our increasing power and prosperity would readily believe them. But that periodicals having a well-deserved reputation for shrewdness and foresight should fall into the same error surprised us not a little, and we commented on their views accordingly, quoting them as curiosities. Still more curious, we think, must they now be regarded; we will therefore extract two or three passages, the very same we quoted in September, 1861. We do this all the more readily because we were accused at the time by some of the same journals of being far too sanguine.

The *Quarterly* (London) displayed its farsightedness and wisdom as follows: "No one can see so mighty a ruin so suddenly achieved, without speculating on the causes of decay. A bereaved family look upon a surgeon as very hardhearted if he wishes to dissect a patient who has just died of some obscure disease, and in the same way the Americans may think it pitiless of us to philosophize over the coffin in which their beloved Union lies."* Our readers will remember that we were somewhat amused at the time with this quotation; but still more with the following: "It is a spectacle, (the downfall of the Republic,) which we should study deeply, for so striking a warning is rarely granted to a nation. If in spite of it we suffer the intrigues of politicians to lure us into democracy, we shall deserve our downfall, for we shall have perished by that wilful infatuation which no warning can dispel."† In commenting on these passages we showed that the *Quarterly* had made certain slight mistakes in its predictions on former occasions, so that everybody need not regard the Union as "in its coffin" merely because that journal did.

Blackwood took a somewhat similar view of the case, but avowed it saw no reason why any sympathy should be felt for a nation that commenced its existence only by setting itself up in opposition to British supremacy. Upon the whole, therefore, the critic thought it rather a good thing

* *Quarterly Review*, for July, 1861, art. "Democracy on its Trial." † *Ib.*

that we should slaughter each other on a large scale; as a specimen of the language used we copy the same passage we did nearly four years ago:

"It is impossible to blame the South for preparing to *maintain its secession*, or the North for *attempting to retain its privileges*. The hostile attitude of the South *is a necessity*; but setting the dictates of natural feeling aside, and speaking only of policy, the attitude of the North is *judicious only in one or two cases*.—*Blackwood's Magazine* for July, 1861, art. "Disruption of the Union."

Another English journal, entitled the *National Review*, said by a certain class to be peculiarly friendly to this country, regarded our downfall as equally certain, and was willing to bestow some pity on us. It commenced in July, 1861, to speculate on the subject, as follows:

"When our last number issued from the press, a mighty catastrophe hung over the great Republic of the West, a catastrophe which many hoped might be averted, and which nearly every one combined to deprecate. We shared neither of these prevailing sentiments; we were satisfied that the menaced disruption was inevitable, and we even ventured to think *it was desirable*."—*National Review*, for July, art. "Civil War in America."

The critic then proceeds to show that the rebels had a perfect right to secede as they did. They were very bad people he admitted in having slaves, and differing with Exeter Hall, but still they did a good thing in breaking up the Union, the same (as we remarked at the time) as the wife of Samson did in cutting off his locks, the source of his irresistible strength, and leaving him in the power of his enemies. After a good deal of logic, the reviewer had no difficulty in coming to the conclusion that "they (the Federal government) cannot compel the South to come into the Union."* Thus all the leading journals of England regarded the great Republic as a thing of the past; they held that its resuscitation was impossible; and were of opinion that, upon the whole, the catastrophe was rather fortunate for the world than otherwise.

In a similar spirit the Federal troops were charged with barbarity, both by the rebels and all who sympathized with them at home and abroad. As a reply to these accusations we published an article entitled "The Laws and Ethics of War," based on the works of Grotius, Puffendorf, Vattel, and Wheaton, and maintained that "no impartial, intelligent

**National Review*, for July, art. "Civil War in America."

observer could take a careful retrospect of this war since it first commenced at Fort Sumter, without being forced to admit that, so far as the Federal government is concerned, no war has ever been carried on in a less vindictive or more humane spirit. We gave ample proof, upon the other hand, that no similar statement could be made in regard to the mode of warfare of our censors. The rebels were consoled, it will be remembered, with the hope that the yellow fever alone would decimate our troops in the summer, and force them to withdraw from the South, while it afforded comparative immunity to the rebel troops.

In reply to those who would discourage enlistments as far as possible in this way, we prepared a careful article, * in which we showed from various authorities that the disease is a worse enemy to civilians than to soldiers; and subsequent experience has proved that in this also our views were correct. Thus it was that we published article after article, against the rebellion, and those who aided and encouraged it, from the day it commenced until the day it virtually ended.

In quoting the above extracts from English journals, however, our object is not to excite any feeling against England; we distinctly disclaim any such intention. It would be very wrong to hold either the British government or people responsible for what some British journal thought proper to say on the subject of our difficulties. But were the facts otherwise—had even the British government themselves made those comments—had we the clearest evidence that they wished our downfall, it would still be an unwise course to quarrel with them about it. There will always be rivalry and jealousy between nations, as there always have been; and it is but rarely, if ever, that the most warlike states have made war on each other merely because the citizens or subjects of one thought proper to make unfriendly criticisms on the other.

Far from desiring peace at any time, except on condition that the rebel states would return to the Union, we deprecated it as a calamity, because we felt an unwavering confidence in the final triumph of the Union. Hence it was that we concluded our article on the President's message in the number for December, 1864, with the wish that the rebels would accept the terms offered them, as follows:

"It seems to us that it would be their own interest, quite as much as that of the North, to put an end to the horrors of war, by simply laying

down their arms, especially as there can be little doubt that they will have to do so eventually. Not, indeed, because they are wanting in courage or bravery; none could have displayed more heroism than they; but their resources in men and money—in all that is essential for carrying on a protracted war—being confessedly so much less than those of the North, *they must necessarily become exhausted in time*, and none can admit this without also admitting that the sooner they put an end to the war the better. Let us hope, for the sake of North and South alike, that the success of General Sherman now before Savannah may be such as to convince the bravest and most desperate that any further resistance to the *power of the inexhaustible and resolute North can only result in disaster and ruin to themselves.*"

We need adduce no more evidence in order to show that we have acted in strict accordance with the motto on our own titlepage; and if this be admitted, it must also be admitted that we are entitled to a voice in the question under consideration. Indeed, the course of President Johnson thus far may be regarded as sufficient proof that he is disposed to do what is right without being urged to do so by any one; and what is more, that he understands what is right. If we are correct in this impression, Jefferson Davis will neither be executed nor harshly treated, however much he has deserved both. The best way to deprive him of all power and influence is to grant him pretty nearly his own former request—that is, to let him alone; let him go to England, to France, or to any other country he may choose to select for his future residence. But we really do not believe that, if he were left at home, his influence could ever again do us the least harm. Those whom he has deceived and ruined detest or despise him too much to encounter any danger on his account in future. If, however, there are those in authority who think otherwise, or if our leading jurists do so, let him be confined in some of our fortresses, from which he cannot escape. Should this be the course finally decided upon, as we think most likely, it would not be well, for the reasons already mentioned, to treat him with any more harshness than is absolutely necessary to prevent his escape.

With regard to General Lee, whom present rumors represent as likely to be arrested and put on trial, we think that, however clearly guilty he has been in drawing his sword against the Republic, the manner in which he surrendered entitles him to his liberty. Had he been captured in the field of battle, he would have had a right to claim to be treated simply as a prisoner of war. This right we ourselves recognised in advance the very first year the war commenced,—that is, when we entered into stipulations with the rebels

for the exchange of prisoners. Had no belligerent rights been granted them by the leading powers of Europe, this fact alone would have been sufficient to entitle Lee, or any of the other rebel generals who have surrendered, to be considered at worst only as prisoners of war. If even a rebel is entitled to consideration on account of his bravery and skill as a commander, and the long and formidable resistance he has made, the claims of Lee in these respects are beyond question; we think that those who are most dissatisfied with the course which he has pursued, or who feel most resentment against him for the large amount of blood he has shed, would readily admit that he has proved himself the greatest captain of the age, with, perhaps, the sole exception of his conqueror, General Grant.

It will also be found on reflection, even by those who are most incensed against the rebels, that the less of their property that is confiscated the better. Next to capital punishment for political crimes, nothing is more odious than confiscation; nothing excites a stronger sympathy in favor of the sufferers. For this reason, even despots are rather shy of it. Be it remembered that it is the Machiavellian policy in one of its most revolting forms. "When you have conquered those whom you wish to retain in your power," says Machiavelli, "ruin them." Elsewhere he says, "Crush them to the earth; destroy them." Russia and Austria have, indeed, taken his advice but too literally, as the unhappy Poles and Venetians can tell; but even these despots have learned that, after all, it is best not to do all the mischief they can; that it is not well to exasperate even serfs beyond the bounds of endurance.

Still more injudicious would it be, if possible, to deprive the rebel states of their former rights by degrading them to the condition of territories. Although there are many who urge this at the present moment, we do not think there is any danger that it will be acted upon. A little reflection will show that it would flatly contradict what has been the avowed object of the war from the beginning on the part of the Federal government; namely, to force back the revolted states to their former position as members of the Union. Now that they have been forced back, would it be logical to deny that they belong to the Union? To do so would be a virtual recognition of dissolution. We do not indeed mean that the leaders of the rebellion should be permitted to exercise the rights of citizenship; we do not think that they

ought; but we think that all should who are included in the President's proclamation as receiving an amnesty, and we are much mistaken if they are not.

As for slavery, that must be regarded as forever abolished. This will be punishment enough for the rebels, and yet they will be better off ten years hence, with the exercise of ordinary prudence and good management, after paying for their labor, than if they had still held the poor negro in bondage. It is pleasant to observe that many, if not the majority, of themselves begin to regard the subject in this light. And what a wonderful revolution in thought, as well as in fact, in so brief a period! This alone would have shown that the war has not been in vain, had it not been productive of no other fruits. Yet it is premature to exult much in the abolition of slavery until we see what disposition the millions thus set free will make of themselves. It is to be hoped that they will prove themselves worthy of their freedom by honestly working for their bread. As soon as all the questions at which we have thus hurriedly glanced are settled, as we trust they will be before long, the Republic will commence a more brilliant, great, and prosperous career, and excite tenfold more jealousy, than ever among the most powerful nations; a jealousy which, we trust will ere long be as great a source of pride to the Southerner as to the Northerner.

ART. IX.—NOTICES AND CRITICISMS.

EDUCATION AND SCIENCE.

Lectures on the Science of Language, delivered at the Royal Institution of Great Britain, in February, March, April, and May, 1863. By MAX MÜLLER, M. A., Fellow of All Souls College, Oxford; Correspondant de l'Institut de France. *Second series.* 12mo, pp. 622. London, 1865.

It is a great pleasure to take up another volume by Max Müller, for we are always sure of finding him thoroughly at home in his subject, and we feel a confidence that what he says is well supported by facts. Besides being a profound scholar, he has the power of expressing himself in choice English, in an interesting style, in a way that we do not expect from a German. He exerts through his writings a species of magnetism, very rare in such scholars, which excites his readers to think and study on what he says. By this quality he is well fitted to become one of the leaders of English scholars, and the band of his disciples will continually increase.

The first series of lectures was devoted to showing the existence of the science of language, and the progress it had made, and to a statement of the relation of the various languages of the world to each other, and their possible common origin. In the present volume the author confines himself to the exposition of certain principles and facts as seen chiefly in English and its immediate congeners, both Romance and Teutonic. Two things are especially considered: the clothing of language, or sounds and words, and the inside of language, or the primary and earlier ideas that were expressed by it.

The analysis of sounds given by Max Müller is the most complete and exhaustive that we have ever met with. Both vowel and consonant sounds are classified according to their method of production, and copious wood-cuts are given, showing the exact position of the vocal organs in the utterance of each sound. These figures are drawn chiefly from actual inspection, and though in some cases a little exaggerated, show precisely the mode of producing each sound and their relations. We can easily see from these figures, and better yet by practising and observing our own mouths, the ways that letters change among different people. The smallest alteration in the position of the tongue varies the sound; the slightest approximation of the lower lip to the upper teeth will change a *th* into an *f*, as we see frequently in the word *nothing* pronounced by negroes as if *noffing*. Some persons and tribes find it impossible to distinguish between certain letters, either when they speak themselves or when they hear them. To the Hawaiians *k* and *t* are alike, and the ancestral tribes of the Greeks and Romans had the same difficulty about *q* or *k* and *p*. But phonetic decay is owing almost entirely to muscular relaxation; to disinclination to make the requisite effort to utter the sound—for the change is always towards the easier sound. Sometimes letters are inserted for *euphony*, as our grammars say, but rather for ease of utterance.

We were somewhat startled to find Mr. Müller an advocate of the system of phonetic spelling, and were inclined to think him rather hasty in his judgment. But further reflection, and a careful perusal of the authorities to which Müller refers, have led us to a revision of our own conservative ideas. We know that a word is only a sound, and that the printed or written word is only the symbol of that sound. At first it expressed that sound exactly, but from the various causes which have led us to speak fast and slur over half our words, they no longer do express the sound. In reality we have two languages, one of sound, and another for the eye, which are only partly coincident, and which are diverging further continually. The question with us is, Shall we retain an inconvenient and unphilosophical system for the sake of habit and some slight advantages? The chief of these is supposed to be the guide that we have to etymology, and Max Müller is charged with having refuted himself when he says that "sound etymology has nothing to do with sound." What he

means by this is plainly that similarity of sound is no test of an etymology, for we know that sounds have changed by fixed laws, and that in most cases a different sound is to be expected; but it is a sound after all. As far as regards the vowels, etymology would certainly be aided by their fixity. There is no doubt that at some time a reform will become an absolute necessity. We cannot consider such a thing impossible, for the Spaniards have adopted an orthographical reform, and a change is beginning in the spelling of German words, though not an authoritative one. Many nations have already changed their alphabet. These things show that reforms in printing and writing can be made.

On the subject of phonetics much that is valuable can be learned from savage tribes, whose language is now in the state that the language of the Aryan tribes once was. The dialects of the various Polynesian islands display the same peculiarities, in their mutual relations, that marked Sanscrit, Latin, Greek, and Teutonic. Variations in sound, phonetic laws, and most of the causes that can affect language are there seen in full play. In the case of language we must judge the past partly by the present. We must explain what has been done by what is taking place around us. The missionaries at remote stations are doing much for learning by reducing these various languages to writing, and Mr. Müller makes good use of their labors in illustrating his reasoning. Some of them, however, are of that school of philologists, who unfortunately have their headquarters at the Philological Society, who think that a few slight resemblances of any of these half-formed languages to those in modern use are a sufficient proof of paternity. Disregarding all considerations of dissimilarity of structure and of claim of languages, one man claims the Hawaiian to be the primitive tongue, just as another had claimed the Finnish to be the ancestor of the English. A few of these men seem as if actuated by a desire to overturn all the constructions of science, and bring back, as soon as possible, the reign of chaos. One, while confessing his ignorance of Sanscrit, writes a labored essay to prove that Sanscrit is of no use to the student of language. Another, Mr. Wedgwood, we hope has received his *coup de grace*, at least in one point. We refer especially to page 103, where his derivation of foul, filth, and fiend, from the interjection *faugh*, *pfui*, or *pooh*, is discussed.

Mr. Müller, again, urges the importance of a study of the roots of language, and elucidates the statements he had made in his former volume. The expression which he had used of *phonetic types* had occasioned some misconception, and in one lecture he shows the reality of such roots, and the probability that they were primarily used as words; that they were concrete before they became abstract. The necessity that the words of any language be reduced to roots is obvious before any speculations are indulged in with regard to their origin. At present it is better to drop all theories about the origin of language, and spend

all our energies in developing the facts from which we must reason. We really have no sound basis from which to argue, and until we have made one it is wiser to pass by such useless theorizing. After we have reduced every language that we know to its simple and primary elements, be hind which we cannot go, we may begin to ask the cause and source of the elements themselves. The very process of developing the elements may furnish us a method for resolving the problem.

But it is to the latter part of this book that we wish to call special attention. In that the author discourses the first ideas in all languages, and those are the ideas of the superior powers of the deities. Men feeling their dependence on something higher than themselves, for their daily light at least, are early led to ideas and names for those higher personages who bestow on them these good things. To this subject of comparative mythology Mr. Müller brings much thought and much learning. It may, at first, be asked, what has mythology to do with language, and what has a book that professes to treat of words, letters, and sounds, to do with different ideas of the deity? But when we consider that mythology arises from language, when we reflect that similar myths and legends may be resolved into one by a proved identity in the names of the fabled persons; when we remember how often words are deified and made idols, how nations are ruled by an empty sound, how multitudes in America are swayed in their political actions by the mere name *Democracy*, we see at once the connection between philology and mythology. Mr. Müller, however, is not the first to connect the two. Dr. Kuhn, long ago, admitted mythology into his *Zeitschrift für vergleichende Sprachforschung*, as part and parcel of that science.

The occasional correspondence of the stories of Greek and Roman mythology with the statements of the Bible was long ago noticed; such as of the flood of Deucalion and that of Noah, of the garden of the Hesperides and that of Eden, and such similarities were readily enough explained as distorted remembrances of early revelations and historic facts. Still later, similar traditions were attempted to be traced among many savage tribes, and the same explanation was given. After an impulse was given to the study of the old northern literature, the remarkable resemblance of the Scandinavian mythology to that of the Greeks and other Eastern nations was commented on. But the identity of origin of all these mythologies has only been argued and proved since the thorough study of Sanskrit and of comparative philology. Max Müller, in his *Essay on Comparative Mythology*, published in the Oxford Essays for 1856, and his follower, Mr. G. W. Cox, in his excellent paraphrases of the Grecian legends and tales, have before presented this subject to English readers, but this is the first essay of the kind which has been brought before the American public. As such it merits some attention.

There may be said to be three prevailing or well-pronounced theories

on this subject. One dates as far back as Euhemerus of Sicily, and endeavors to explain all the tales of gods and heroes, and of their wonderful deeds and achievements, by real or rather by supposed historic facts. Thus Heracles was originally some brave and sturdy benefactor of some small province—a man who destroyed oppression and rooted out abuses;—one whose memory was held in veneration by his country folk, till, in time, he became deified, and his achievements were magnified into great and supernatural performances. So with Theseus and other heroes, and so with even the twelve gods of Olympus. The *Nibelungen-lied* is a poem, of whose historic truth there was not the slightest doubt in many minds. The characters were identified with Teutonic princes and princes of that epoch, who, strangely enough, agreed with the story not only in name but in action. But the same legend is given in the old Norse Eddas, and this tale of the Volsungs is in many respects coincident with the tale of Troy and the Trojan war. Were these old mythologic tales supposed to rest on historic foundations of fact, we should have the very strange circumstance that such similar actions occurred in scenes and amid peoples so diverse. This would be, to say the least, extremely difficult of explanation.

The second theory is that of Mr. Gladstone, as advanced in his *Homer and the Homeric age*. It is briefly this, that the Greek theogony was a distortion of primitive dogmatic revelation; that the Greeks originally had a revelation of true religion; that in time ages grew darker and more corrupt, and that revelation was overclouded with fiction and fable. The outlines of it were dimly preserved. The Trinity was kept in that of Trus, Poseidôn and Hades. Lêtô stands in the place of the Virgin, and the attributes of Christ, the Redeemer, were divided between Apollo and Athênê. But this is evidently mere assumption, for it would require a more perfect revelation to have been made to the Greeks than was made to the Hebrews in their early times, for the idea of the Trinity or of a Redeemer is nowhere plainly set forth in the earlier sacred writings. It would require, too, a continuous moral deterioration among the Greeks. In proportion as their mythology waxed more fanciful and ornate, so should their moral state have become worse. But we have in reality the striking contrast of an advancing morality and a decaying theology. It was a mere clothing which did not fit to their religion.

Here, too, the speculations of Dr. Dollinger should be alluded to.* He does not suppose a dogmatic revelation to man, but he makes an equally groundless assumption that man had at first a knowledge of a pure and abstract divinity and religious worship, and that after he had lost this knowledge he was thrown on nature and so deified the powers and objects of nature. In the East he turned to Astrolatry, in the West to Geolatriy. The

* The Gentile and Jew in the Courts of the Temple of Christ.

Pantheon of Greece was a collection of these divinities, brought in from many nations in those early times, when the inhabitants of Greece emigrated from different countries and different races. Besides resting on an assumption, the arguments are historically weak. For men, too, to have deified the power of nature, they must have already forgotten the early significance of their names, and gained abstract ideas of divinity.

But does it not seem as if many of those old legends, such as of *Heraclês* and of *Dêmêtêr*, of *Theseus* or *Perseus*, and others, could be explained by some simple phrase, which was their germ? Thus, if people said, at a time when, conscious of their own life, they felt that everything else, too, had life, "The earth mourns for the dead summer, the summer is shut up in the prison of darkness," could not the story of the search after *Persephone* arise? Or else they said, "The moon (*Selene*) watches during the night the sleeping sun (*Endymion*)." In *Orpheus* we see the sun mourning for his wife, the dawn, descending for her into the realm of darkness, and losing her again in the morning as he turned to gaze at her. In *Heraclês*, in *Perseus*, in *Bellerophon*, we see the sun toiling for others, a beneficent person, who accomplishes many wondrous works.

These thoughts bring us to the theory of *Max Müller*, and the only one capable of resolving all our difficulties. According to him, all these legends and myths arise from modes of speech which were natural and vivid when men believed in the life of all the physical objects they saw, in the physical animal life of the sun, the stars, and the earth. This is not personification and allegory, such as *Mr. Grote* supposes, but originated before such things were possible, before the power was abstracted from the thing. We still say, "The sun rises, the sun sets," without any mythology remaining in the phrase; but there was a time when the dawn and the sun were thought sentient beings, and to say "The dawn flies from the sun" conveyed a deeper meaning than now. There was a time when men were young; when they were almost astonished by the recurrence of daylight; when they could fear that the sun would not come again, and could ask, with tones of real anxiety, "Will our friend the dawn come back to us?" Compared to that one assertion that the sun must rise to-morrow, is, as the author well says, Titanic boldness. Until lately we have been without the record of any such time, but now we find in the hymns of the *Rigveda* the expressions of just that feeling in the ancient Aryan tribes. We see mythology as it was forming and growing. We find it, in its early simplicity, as wonder and love of the powers and objects of nature. From the Sanscrit hymns, too, we are able to explain the Greek and even the Northern myths through the aid of comparative philology. We can trace the names and the attributes back to their earliest source. *Zeus* is the same as *Dyaus*, *Dyu*, *Sky*, brightness; *Daphne* is the Sanscrit *Dahanâ*, the dawn, and we thus see how the sun wooed the dawn which always fled before his burning gaze. In Greek, *Daphne* was also the name of the laurel, pro-

bably from its blazing up quickly when fired, and therefore we find that Daphne was changed into a laurel tree.

It is remarkable how nearly all the myths cluster around the sun and the dawn. The great tragedy of nature, the nightly death of the sun, and its reappearance every morning, heralded by the dawn, who again, as the twilight, attends him as he disappears, is the burden of every tale. Zeus and Apolló, Heracles and Theseus, Persens and Bellerophon, and even, perhaps, Pavis, are all the sun. Sometimes he is the triumphant god; more often, one who is obliged, by a power he cannot resist, to serve the needs of mere mortals by performing great and unending tasks. Athênê, Aphrodite, Daphne, and even Helen, are only names for the dawn. The story of Kephalos and Prokies is only that of the sun and the dawn, the tale of Troy is only the assault of the solar forces on the citadels of the East. In northern regions, where the day is less prominent, but the severe alternations of the summer and winter are more astounding and engrossing, we hear of summer as a fair maiden shut up in some lonely castle, as a treasure buried in the earth, as a damsel restrained by the spells of the powers of darkness, waiting for her youthful deliverer. Brynhild is summer, as Signed is the sun that delivers her from the prison of winter. The sun is the youthful hero abandoning his first love, invulnerable in all but one place or one way, yet always doomed to die. Achilles, Meleagar, Sifrit, or Balder, the story is the same. Mr. Müller supposes that the attention of the early Aryan tribes was chiefly drawn to the bright powers, the sky, sun, or dawn, as things ever existing or springing up, as resistless, immortal, and mysterious; and that they regarded storms, and clouds, and darkness, as their enemies and subjects, that were sure to be overthrown and overcome. A contrary opinion is propounded by Professor Kuhn, and held by Schwartz and others. They take a different point of view, and suppose the early people regarded those things which were permanent as mere natural events, and looked rather to the storms and accidental disturbances as the great and overruling powers. While regarding the explanation of Müller as in the main correct, and the Aryan myths as rather solar than meteorological, still we cannot identify all in that way, and we must except to the author's treatment of the myth of Hermes. To us the idea of wind explains more clearly the Homeric hymn and all the actions attributed to Hermes than does that of dawn or twilight. Accepting his derivation from the root *sae*, to go, and identifying Hermes with the Sanserit Saramâ, though he is properly Sarameya, her son, the name of the runner, the hound of the gods, is more applicable to the wind than to the dawn. Though many of the epithets elsewhere in the Veda applied to the dawn proper are given to Saramâ, they are only those that are capable of being applied also to the wind,—not the storm of Professor Kuhn. The wind can play all those tricks that Hermes played Apolló, and the wind can be the messenger of the gods and the

conductor of dead souls. But whatever may be the real or attempted explanation of individual myths, it is evident that the key to them all has been found. The riddle has been solved, and the origin and contemporaneous existence in different races of the same and kindred tales are explained. The similarity of the tales, the identity of epithets and attributes, and in many cases the etymological unity of the names themselves, all point to the fact that each nation did not originate its mythology separately, but that all arose together in the Aryan mind before its breaking up and separation into different tribes, and its emigration to different seats.

The progress of knowledge made thus far points to something further. The common origin of the Aryan and Semitic branches of language has never been proved; but if it is, will it not be asked at once whether the Aryan myths originated before or after the separation of the two stocks. Or even before and without that, will not some bold scholar attempt to explain many of the relations of the Old Testament in this same way by mythological phrases? If Heracles is identified with the sun, may not Samson be also? We allude to this to show the possible, and in the present temper of the age, probable, direction that the study of mythology may take, to show the importance of a right understanding of what is already proved and known. Theologians will find that the circle of sciences they are expected to know is enlarged by those of comparative philology and comparative mythology, and it will require a careful study of the subject to enable them to refute at once any unwarrantable assumptions or false deductions.

Circular and Catalogue of the Law School of the University of Albany for the years 1864-5. Albany, 1865.

It is not our habit to discuss the merits and demerits of educational institutions in our June number; but our law schools conclude their terms, and issue their catalogues, earlier than ordinary colleges or seminaries; and that of Albany is one of the few in whose progress all who are in favor of elevating the status of the legal profession in America are bound to take an interest. Its different departments are under the control of eminent jurists, whose system of instruction embraces the best features of the principal law schools of Europe. What is most characteristic of the Albany school may be inferred from the following extract from the catalogue:

"All the lectures are oral, and are expositions of legal principles with illustrations and applications. They are also accompanied by such references, hints, and suggestions as are deemed the best calculated to enable the mind the more thoroughly to master and retain them.

"The Faculty have, however, a higher aim than simply teaching young men the law. They will also use their best endeavor to teach those who are intending to enter the profession to be LAWYERS. This is felt to be an arduous

and difficult task. *It is training the mind to a right use of its own faculties. It is giving it a power over its own resources, and enabling it fully to avail itself of its own stores of knowledge.*"—p. 10.

The remarks we print in Italics embrace what should be the aim of all good colleges and academies; it is of comparatively little use to teach the student rules and principles, if he is not taught to carry them into practical effect. No matter how well stored the mind may be with ideas and facts, in order to render them available, especially in speaking, it is necessary to practise the use of them. In other words, it is not sufficient for the law student, or the student of divinity, to *think*, however profoundly he may do so; if he wants to excel, or even to succeed, in his profession, he must acquire a facility, by careful training, in giving oral expression to his thoughts. In short, the tongue requires to be trained as well as the fingers; it is because this fact is lost sight of that we find so many men eminent in literature and science, who are incapable of expressing the most ordinary ideas when called upon to speak. We make room for one extract more:

"Another feature of importance is to be noticed in the MOOT COURTS. Questions or causes, previously given out, are here argued by four of the students. These questions and causes are either taken from, and designed to illustrate some vexed points arising in the lectures, or they are real causes pending before the Supreme Court, or Court of Appeals.

"Upon the conclusion of the argument, the cause is given to the class to discuss and decide. This gives rise to discussions of great interest and profit, in which large numbers of the class participate. After the discussion and decision by the class, the presiding professor gives his views on the questions involved, and on the correctness or incorrectness of the decision. Two of these courts are held each week. By judiciously pursuing this course, varied in such respects as experience may suggest, it is confidently expected that the student may be essentially aided in his efforts to become a *ready, fluent, and correct extemporaneous speaker*, and that he may also acquire good habits of speaking—*learning never to sacrifice sense to sound, or solid argument to showy declamation.*"

Without the habit of discussing interesting topics, practised to a greater or less extent, there can be no fluent, correct speakers, not to mention orators. Why, then, is there so much dumb show at most of our colleges? Why are not students taught to speak as well as to write? for that they are not so notorious,

ART.

Catalogue of the Fortieth Annual Exhibition of the National Academy of Design. New York, 1865.

We are very unwilling to find fault with the National Academy of Design; we would much rather praise it, if we could conscientiously do so. We have never been treated otherwise than courteously by any of its members; there is, in fact, no conceivable motive that we could have to speak of it in any other terms than those of approbation. But to praise indiscriminately as excellent what rarely rises above mediocrity is not

the duty of a reviewer; nor is it the way to foster or aid the cause of art. On the contrary, its best friends are those who honestly tell the truth about it. It is therefore in no censorious spirit that we have examined the present exhibition of the Academy, but with every disposition to give ample credit wherever we conceived any credit to be due.

It afforded us sincere pleasure to learn some two years ago that our artists would soon have a building worthy of the progress made within the last twenty years in American art; and we were anxiously watchful for the appearance it would assume. But seldom have we been more signally disappointed. When the new building was first pointed out to us, we thought our friend merely meant to satirise our academicians by attributing to them that sort of taste which we might expect from one who attempted to rival Barnum's Museum, without having sufficient means to render the new structure as fantastic and tawdry as would be likely to please the class of persons who usually patronize such establishments.

We are aware that many journals have praised the building, and that they may be right and we wrong; but if the latter be the fact, then we have yet to learn what is taste and what is harmony in architecture. Those who designed the building seem to have supposed that if they made any imitation, however distant or vague, of an edifice regarded as classic, the public would be satisfied. That after which the Academy is modelled is the Doge's palace at Venice; but the imitation is little better than a caricature in miniature. The former combines grandeur with beauty, whereas the highest praise that can be bestowed upon the latter is, that there is that sort of fantastic prettiness about it which is so much admired by children and by maiden ladies of a certain age. Nor has the architect succeeded much better in consulting the convenience of the public or the advantage of the exhibitors. In this brief sketch we can only allude to the more prominent features, but more would be superfluous even if we had time and space to spare. We dismiss the building, therefore, for the present, only reminding our readers how suggestive it is, in spite of its profusion of diamonds and gaudy colors, of the epitaph on a certain architect, which runs somewhat as follows:

"Lie heavy on him, earth, for he
Laid many a heavy load on thee."

But a much more painful fact is, that the exhibition is so much like the building. In finding this we were again much disappointed, for we had hoped that all our artists would exert themselves better than they ever did before, in order to do honor to their new temple; we had also hoped that the war would have suggested subjects calculated to stimulate native genius to its highest development in the grand, the sublime, the pathetic, and the terrible. That there are noble works of art on exhibition in the Academy at present, and one or two sad and truth-

ful pictures of the ravages of war, far be it from us to deny; nor do any admire them more. We shall take pleasure in speaking of them accordingly, but they are too few—certainly not more than a dozen pieces. However unpleasant it is to say so, the large majority of paintings at present on the walls of our Academy are below mediocrity. Quite a large proportion do not deserve a place in any respectable exhibition, but reflect discredit on those who admitted them, because an Academy of Art, as well as an Academy of Literature or Science, should have a standard. If not, how is the visitor, who has received no culture in art, to distinguish the genuine from the meretricious, especially if the latter occupies a more prominent place and a more favorable position than the former?

Do not three-fourths of the visitors labor under this disadvantage? If this be the case, how is the public taste to be improved? Is it not more likely in many instances to be vitiated? And here we are reminded of the notorious favoritism of our so-called *National Academy*; although it is not other artists, native or foreign, the managers favor, but themselves. Because they call themselves academicians, their performances, however crude, must have the place of honor; whereas works of genuine merit must take their chance in some obscure corner, or be hung up so high that it requires a step-ladder to examine them. Sometimes, indeed, a good painting gets a good place, although its author is not an academician; but we are assured that in almost every instance of the kind he must be able to bring some influence to bear on one or more who are academicians. It is almost needless to say that as long as this state of things continues the taste of the metropolis will not be much improved; nor will real merit receive the encouragement which it deserves. It is true that there are several art galleries in New York, some of which contain excellent works; but we certainly do not allude to those print-shops whose owners call them "galleries" because they sometimes have a few tolerable paintings on exhibition among a considerable variety of performances not possessed of sufficient merit for a respectable signboard. An eminent Paris house had a branch establishment in this city for some years. This attained a well-merited reputation for encouraging art, while it admitted nothing to its gallery which was not above mediocrity. But it was not sustained, and was, therefore, dissolved some five years ago. The name was assumed, however, by another party, who has retained it since, but scarcely anything else that distinguished the spirited and intelligent gentlemen alluded to. There are, however, two or three picture galleries in New York which contain no spurious pieces; but these are sufficiently known to our readers to render it needless for us to step aside from our present duty to call particular attention to them.

One merit which we must allow the new Academy is, that it is well lighted by means of skylights. After passing through the different galleries, it occurred to us, that whatever faults may be laid to the charge of

those who arranged the exhibition, it cannot be said that they sought to prepossess and dazzle the public by placing the best works in the corridor, where they could be first seen and appear to the best advantage; but our appreciation of this was somewhat diminished when we found, on examination, that the somewhat incongruous collection thus favored are chiefly, if not exclusively, the productions of academicians. We have no disposition, however, to criticise them, since we could say little that would be agreeable of even the best in this department. Yet we have not overlooked Mr. Gifford's *Coming Storm*, nor Mr. Kensett's *Ullacater*, both of which we have heard much praised by amateurs. We do not regard either as an inferior work, but neither equals some former performances of its author. This is particularly true of Gifford's piece, which seems to us rather exaggerated. The dark, motionless mass, the intense red light, and the broad clouds are but roughly put together, and produce an effect too grotesque to be natural. Did we not know that the painter is capable of a much more finished work, we should pass it by, as we have scores of other pieces.

Mr. Whittridge's *Twilight on the Shawangunk Mountains*, No. 205, is of a different character. In this we find sublimity, beauty, and truth; although there is too much grey in the horizon. But the lofty trees, the broken masses of rock, the group of hunters preparing for their bivouac, and the faint glimmer from their fire are so finely depicted that we very cheerfully pass over minor defects. We confess we are not equally pleased with Mr. Church's *Twilight*, No. 310, though in general we admire his landscapes more than those of any of his rivals. His clouds in the present instance are too much like rocks, especially the white, or rather the yellow. The impending thunderstorm on the mountains is, however, so well depicted that it redeems the work as a whole, and entitles it to a respectable rank. But in our opinion the best landscape in the present collection is that entitled "Looking down the Yo Semite Valley, California," No. 436. Many criticise it as showy and ambitious; but in our view they are the showiness and ambition of genius, which in the artist as well as in the poet is always bold and daring. The towering cliffs are undoubtedly sublime; and the placid river with its brushwood margin, the stately trees, the green valley, the soft, luminous, tropical sky serve to render that sublimity more conspicuous, and at the same time afford an agreeable relief to the eye, after it has contemplated the beetling cliffs losing their vague outlines in the clouds.

Of "The Valley of Wyoming," No. 232, we must speak in very different terms; although we could wish that many other landscapes occupying prominent positions at the Academy were equal to it. It possesses abundant variety and extent, and is sufficiently green even for the Emerald Isle, but it is too suggestive of the rule and compass. The topography is no doubt very exact; all who have seen the valley would recognise it

on this canvas; but those who have not seen it would be reminded rather of a map than of a real valley.

Portraits always fill a large space in the Academy of Design, and perhaps more on the present occasion than ever. We cannot say, however, that we see any improvement in this department; although we have noted some three or four good specimens. Upon the whole the collection rather reminds us of that passage in one of Juvenal's satires,* in which the Aruspex Unbritius takes leave of the Eternal City, declaring that the only *arts* encouraged or rewarded there now were flattery and vice.

"———*Quando artibus, inquit, honestis
Nullus in arbe locus, nulla emolumenta laborum,
Res hodie minor est, hære quam fuit atque eadem cras
Deteret exiguis aliquid.*"

It would, indeed, seem that the fortune of some of our artists is less to-day than it was yesterday, as the satirist expresses it; for were it otherwise, some of them would hardly choose the subjects they do. It is remarkable that among the several portraits of military men in the present exhibition, there is scarcely one even of the second or third rank, or who has ever been heard of beyond the circle of his own immediate friends. In one instance, we thought we saw at a distance, from the style of features, one of our victorious generals; but a glance at our catalogue informed us that the full length portrait alluded to is that of an officer of one of our militia regiments, who thought it quite far enough to go as far as Washington to the war.

There may be something in the history of "the late Peletiah Perit" which renders his portrait interesting, but it has but little intrinsic merit. We allude to it thus, in passing, only because we have seen much better productions from the easel of Mr. Thomas Hicks; although we should like to know what mean those large books and manuscripts? Was Mr. Perit an astronomer, or the president of a petroleum company?

As we have not the honor of knowing Ex-Governor E. D. Morgan, we cannot say how like or unlike him is Mr. Huntington's full, length portrait, No. 412, but if the former, his late excellency is rather a greasy looking personage. His face is made to look as if soap and water were scarce commodities in his neighborhood; nor is the appearance of his coat much more suggestive of that virtue which is said to be next to godliness. No such charge as this can be made against Mr. Boyle's portrait of Governor Gamble, of Missouri. The latter is rather too well shaved; his face looks as if it had just been washed and rubbed so hard with a coarse towel as to make it preternaturally red, although, perhaps, those deep tints were intended to harmonize with the theatrical attitude

* iii., 14.

in which his excellency stands, pointing at a sword as if it had once done brilliant service in his hand.

There are several portraits by G. P. A. Healy, each of which possesses merit in one form or other; but the best is far inferior as a work of art to his full length portrait of Hon. William C. Alexander, Ex-President of the Senate of New Jersey, and for some years past President of the Equitable Life Insurance Society of this city. Mr. Healy may well be proud of this portrait; not one did he produce, even when he was court painter to Louis Philippe, that has so strong a claim to be considered his *chef d'œuvre* as this. Mr. Alexander is dignified, thoughtful, and majestic enough to be an emperor, as all who have seen him preside in the senate of his native state can testify; and there is not one of those qualities which is not faithfully reproduced in Mr. Healy's portrait, with many others that are good and estimable.

We do not like his portrait of the Archbishop of New York so well; and yet there are few better in the whole collection. The features are well delineated; the complexion is natural; and the expression of the countenance such as becomes a learned and pious prelate; but, if the arms are not wanting in proportion, the left is undoubtedly defective in another way. Viewed at a distance, it seems to hang heavily, like a piece of wood. It is otherwise, however, with the archiepiscopal robes, which hang in graceful folds, and are marked by that half-sacerdotal, half-academic air, which, in our opinion, is most in accordance with the original design of those garments.

Mr. Stone is much less happy in his portrait of Cyrus W. Field, who, it seems, is still on the lookout for a little admiration. In his present position he looks a little too effeminate, also somewhat more modest than he really is; nor are these the only particulars in which he is extremely unlike the great Persian conqueror, to whom some of his admirers once compared him, though rather prematurely. This time he does not appear on the canvas as the guiding genius of the Atlantic telegraph; his attitude is more suggestive of the less romantic, but, probably, more suitable business of selling paper to the newspapers at a reduced price, with the understanding that he is to be requited for his generosity by a small sprig, now and then, from the laurel of fame, in the shape of an "appreciative notice."

There are about a score of other pieces, good, bad, and indifferent, of which we have taken notes, but we must pass them over for the present. It is worthy of remark that there are considerably fewer lady exhibitors in proportion than usual; and that the majority, even of these few, have evidently devoted a goodly portion of their time to other "subjects" than those they have painted. It is no doubt a very pleasant, laudable thing to paint babies and husbands in bright colors, but it is questionable, after all, whether it is not better and more womanly, upon the whole, to stay

at home with them, and take care of them, than to exhibit their counterfeits at the National Academy of Design, or anywhere else.

HISTORY.

Historical View of the American Revolution. By GEORGE WASHINGTON GREENE, author of *Historical Studies, &c.* 12mo. pp. 459. Boston: Ticknor & Fields, 1865.

ALTHOUGH we have found many things, both in the matter and style of this volume, which show room for improvement, we feel that we should be neither just nor candid did we not cordially recommend it as an important contribution to our historical literature. It consists of a series of twelve lectures read before the Lowell Institute of Boston, in 1863, and some of which were read at the Cooper Institute, New York, the same year. That the lectures embrace a wide field may be seen from the fact that they discuss, respectively, the Causes, the Phases, the Congress, Congress and State Governments, Finances, Diplomacy, the Army, Campaigns, Foreign Element, Martyrs, Prose Literature, and Poetical Literature, of the Revolution. We need hardly say that no intelligent, thoughtful person could fail to invest these subjects with interest; and that Prof. Greene possesses those qualities in a high degree, we cheerfully admit. In his lecture on "The Foreign Element in the Revolution," he is more liberal in doing justice to France, for the powerful aid she afforded, than any other American writer, although he by no means exaggerates the facts.

It is too often forgotten, in discussing the nature of the struggle between the colonies and the mother country, that the former had both the physical and moral support of one of the greatest, if not the very greatest, of military powers in the world. The common impression is that, although we had many French officers in the American service, foremost among whom was Lafayette, we had not the advantage of the French nation as an ally; in other words, there are but few who seem to be aware that France declared war against England in our behalf, and that consequently the struggle of the latter was not merely one against her rebellious colonies, but very soon became also a struggle against France, who attacked her in Europe as well as in America, with all the vigor and intrepidity characteristic of that gallant nation.

There is no reason why this fact should be concealed; on the contrary, it is important that it should be known, so that it may put others on their guard. It will be remembered that none took more pains to ignore the aid rendered by France than the leaders of the late rebellion against the Union, especially before they commenced the war. Their chief argument was: "Our colonial forefathers, who were a mere handful,

were enabled to set the power of England at defiance, and establish their independence ; why, then, should we doubt of success, who form a nation of upwards of ten millions ?" There was not a word about the French until it was too late ; thus the masses of the Southern people were deceived by concealing from them the facts of history, under the guise of patriotism.

Our revolutionary forefathers had given abundant proofs of their heroism, bravery, and patriotism, before they got any assistance from France, as a nation. This ought to satisfy us ; nor should we think it in the least derogatory to our prestige that it should be known by the world, and, especially, by all sections of our own people, that it was not single-handed we were able to force so powerful a nation as England to acknowledge our independence. Fortunately, the results of the recent rebellion afford a sufficient lesson by themselves, without reference to the revolutionary struggle. The great Republic has satisfied, friends and foes alike, that those who seek its ruin can only expect to ruin themselves.

We do not take these remarks, or any of them, from Prof. Greene's lectures ; we always give our own views, let the subject be what it may. When we use the thoughts of another we quote them as such, whether our object be to commend or condemn them, and accordingly we now proceed to give a few extracts from the volume before us. The lecturer shows how strong were the prejudices entertained against the countrymen of Lafayette, and which were the most cherished of all brought by the colonists from the mother country, adding the following remarks :

" But American statesmen well knew that in their unequal contest with the most powerful nation of Europe, France was their first, if not their only ally. They needed French arms. They needed French money. They might need French ships of war, and French soldiers. This reflection had led them to welcome, as a happy omen, the first appearance of military adventurers from France, and added not a little to the embarrassment of Congress when they became so numerous as to make it necessary to refuse their offers of service. Yet the minds of these statesmen were not free from the hereditary prejudices, as the conduct of John Adams and John Jay clearly showed, at a moment when all prejudice ought to have ceased : nor the minds of generals, and still less of inferior officers, as plainly appeared in the expedition against Rhode Island. What, then, could be expected—or rather, what was not to be feared—when well-dressed and well-paid French soldiers should be brought to serve side by side with the half-naked soldiers of America ?

" To smooth these difficulties, to overcome these prejudices, to convert antipathy into confidence, and jealousy into an honorable and friendly emulation, was the first good office which Lafayette rendered his adopted country. His money gave him the means of doing many little acts of reasonable kindness, and he did them with a grace which doubled their value. His rank enabled him to assume a tone with his dissatisfied countrymen, which sometimes checked their arrogance, and often set bounds to their pretensions. A true Frenchman in impulse, chivalrous sense of honor, and liveliness of perception, he taught Americans to bear more readily with qualities which his example showed them might easily be united with the perseverance, the firmness of principle, and the soundness of judgment which they had been wont to set above all other qualities. The French alliance might have been gained without Lafayette ;

but the harmony of feeling which made it practically available was, in a large measure, owing to the hold which Lafayette had taken upon the confidence and the affections of the American army and the American people.

"And but for him that alliance might have come too late. It is true that he came to us in defiance of his government, escaping in disguise the *lettre de cachet* which a ministry, alarmed and shocked at his disobedience, had issued against him. But it is no less true that the sympathetic enthusiasm of Paris was raised to the highest pitch by this display of a chivalrous daring, which Parisians prize so highly; and that the English court was fully persuaded that he had done nothing but what his own court approved. Thus the French government found itself strengthened at home for an open declaration, and stimulated from abroad by the increasing jealousy of its powerful rival. Lafayette's hand is almost as visible in the treaty of alliance as the hand of Franklin himself." —pp. 308-10.

This gives a fair view of the question, so far as it goes; it does justice to France. But at least four or five of the following pages should be read in connection with it, in order to understand the scope of the author's discussion. The professor is not equally liberal in dealing with other "foreign elements." "We know," he says, "that there were many foreigners among the common soldiers; *for we know that, on more than one occasion, when men were chosen for special service, special care was taken to employ none but natives*" (p. 282). It seems that had it not been for this our author would not have known that any foreigners but the French had entered our armies. He admits, indeed, that "there was a German legion; and (that) German and Irish names meet us constantly in the imperfect muster-rolls," &c.—"but we know, also, that then, as now, hundreds bore German and Irish names who had never seen Ireland or Germany," (pp. 282-3). From this it seems to follow that those who did see those countries and belong to them deserve blame from "the natives."

One Irishman is mentioned, as if intended to represent the part taken by his countrymen in general in our struggle; although he did not come to this country from Ireland, but from France, in whose army he had served thirty years, attaining the rank of colonel. "He was anxious," says the professor, "to become an American citizen, as he told the credulous Silas Deane; but still more anxious to become an American general, as Congress soon discovered" (p. 293). None but an Irishman would have been so selfish as this! Finally, after doing a great many horrible things, this Irish brigadier-general returned to France, "*leaving in American history a name second only to that of Benedict Arnold*," &c. (p. 296).

On examination, we find that the darkest features in the "treason" of Conway consisted in his having made some criticisms, in a private letter, on the generalship of Washington, giving the preference to that of General Gates; and even for this he made an humble apology to the Father of his Country. It is not even pretended that he ever attempted to betray the cause in which his sword had voluntarily been drawn, for love or money; yet we are told that he is "second only to Arnold." As no other Irishman is mentioned in the "Foreign Element," the inference is that the Amer-

can people of the present day may accept Conway as a fair specimen of the Irish of revolutionary times. Doubtless some learned professor of eighty or ninety years hence will discover that the Irish have been equally treasonable, unreliable, and insignificant in the great war just closed.

We are sorry to find such narrow-mindedness in the volume before us; it is not creditable to the author, nor to anybody else. As for the publishers, we entirely exculpate them from having any sympathy with "Know-nothingism," or any other illiberal or puerile exploded notion; for, of all our publishers, they are the most cosmopolitan in feeling and spirit, as well as the most judicious in their taste as public caterers.

We do not condemn the professor's book, however, because he sometimes makes observations and statements which show neither learning, wisdom, nor good taste. There is sufficient good in it to counterbalance these defects; quite enough, indeed, to render it worth a much higher price than the publishers ask for it; and we should admit the fact were its objectionable features even directed against ourselves personally. Probably no part of the book will be more generally read than the two lectures on the Literature of the Revolution; although we confess we do not like the style in which they are written. It seems to us rather inflated, somewhat too ambitious, and by no means faultless in its syntax. For too frequently he pays more attention to sound than sense. Thus, for example, in speaking of Alexander Hamilton, he says: "It seems strange to find a boy of seventeen writing with such evident familiarity about Grotius and Puffendorff, and urging home upon his antagonist the *unconscious accordance of his fundamental axioms* with the godless theory of Hobbes" (p. 385). Now, what is there so very remarkable in finding a boy of seventeen writing familiarly about Grotius and Puffendorff? We know boys of less than sixteen who write "with evident familiarity about" the differential and integral calculus, about organic chemistry, &c., and there were those who did so quite as long ago as the time of Hamilton, if not a little before.

On the same page, the professor says: "But the most important channel of Hamilton's influence as a writer from 1777 to 1781 was through Washington's official correspondence; in which it is as impossible to deny that he bore an important part as to deny that the similarity of tone and thought which *permeate* it from the beginning to the end of Washington's life, *prove* the importance of the part which he also took in the preparation of the documents that bear his signature" (p. 385). This sentence is, indeed, sadly defective; according to the elementary principles of the English language the noun *similarity* is the nominative to both the verbs marked in Italics, but both have the plural form, as if *similarity* and *thought* were the nominative, whereas *thought* is the object of the preposition understood after *tone*. But we have only to turn one leaf in order to find worse, as, for instance, where the author tells us that, "If

there was less of eloquence in the pulpit, there was fervor, earnestness, and fearless patriotism" (p. 387). Thus "fervor, earnestness, and patriotism" are made to agree, or rather to disagree, with the verb *was*. If the author be right, and we wrong, then it is proper to say *they was*.

All we mean by this, however, is that the author should be more careful than he is, both in his statements and in the structure of his language. If he would use fewer words, he would do much better. At the same time we must repeat that his book will repay a careful perusal, and that no one who takes any lively interest in American history should fail to read it. It is printed in large clear type, on good white paper, and neatly and substantially bound.

The Person of Christ, the Miracle of History, with a Reply to Strauss and Renan, and a collection of Testimonies of Unbelievers. By PHILIP SCHAFF, D.D. 16mo. pp. 377. Boston: American Tract Society, 1865.

THERE is no Christian writer, no matter what sect he may belong to, who would not profit in his views of Christianity by a careful perusal of this little volume. Indeed, we know no other religious book of the same size which we could more unhesitatingly recommend for the family library; for what is promised in the titlepage is faithfully and successfully performed in the body of the work. Lest a translation might be supposed to misrepresent the views of those known to be infidels, the original language in which their opinions have been expressed is given in "The Person of Christ."

This is true of extracts given from Diderot, Rousseau, Napoleon I. Renan, &c., which form a feature in the book which is at once interesting and instructive. We have an extract from Hess's "Life of Jesus," in which Diderot is represented by a personal witness as having paid the following tribute to the sacred Scriptures, after he had taken part for some time, with several other infidels, in ridiculing Christianity: "A merveilles, messieurs," he says, "à merveilles, je ne connais personne en France ni ailleurs qui sache écrire et parler avec plus d'art et de talent. Cependant malgré tout le mal que nous avons dit, et sans doute avec beaucoup de raison, ce diable de livre, j'ose vous defier, tout sant que vous êtes, de faire un récit qui soit aussi simple, mais en même temps aussi sublime, aussi touchant, que le récit de la passion et de la mort de Jésus Christ, qui produise le même effet, qui fasse une sensation aussi forte, aussi généralement ressentie, et dont l'influence soit encore la même après tant de siècles."*

* For a wonder, gentlemen, for a wonder, I know nobody, either in France or anywhere else, who could write and speak with more art and talent. Notwithstanding all the bad things we have said, and no doubt with good reason, of this devil of a book, I defy you all—as many as are here—to prepare a tale so simple, and at the same time so sublime and touching, as the tale of the passion and death of Jesus Christ, &c.

The reader is also presented with the views of the most eminent Jewish writers, including Josephus, in order to show the profound reverence in which Jesus was held even by his enemies. All admit that he performed miracles, an admission which is also made by the principal Greek and Roman writers of the first five centuries after Christ. But the work must be read in order to be appreciated; nor must it be supposed that it is intended exclusively for the young. Indeed, there are passages in it which none but those who are well educated can thoroughly understand. This is true of the "Critical Notes," which contain quotations in Greek and Latin, as well as in French and German, and which are taken from the works of various writers, both Catholic and Protestant, the laudable object of the author being not to glorify any sect, but to prove that Jesus was really the Son of God.

Communication from the Governor, transmitting the Annual Report of the Board of Commissioners of the Metropolitan Police; transmitted to the Legislature, January 9, 1865.

THE contents of this pamphlet are much more interesting than its title would imply. The commissioners do not make elaborate statements, but they present us startling and instructive facts; indeed, there are materials for an octavo volume in this slender brochure. Without such information as it embraces, no one can understand the science of government. No general description of New York and its inhabitants, however graphically and elegantly written, could give a more truthful and striking picture of our moral, religious, and social position than this report.

But in order that it may serve this purpose, it must be read thoughtfully; the results must be traced to their causes. The moralist or legislator who has no idea of repressing crime, save by punishment, is one only in name; nor can any one be called a philanthropist who will not take the trouble to enquire whether the votary of crime or vice has not been exposed to influences of which his worst acts may be regarded as the natural results. We trust we need hardly say we do not mean that this would justify him; but it would disarm the resentment which it is natural we should feel against those who injure us without cause, and consequently secure to the culprit a dispassionate sentence.

Yet we would have the enquiry made more with a view to the future than to the past; more for prevention than cure; bearing in mind that the chief brutalizers of the human race are ignorance and poverty, and that in general the latter is consequent on the former. But let us hear what is the experience of those who know our people best; for it seems to us that they relate it candidly and impartially. Did we see any reason for the contrary opinion, we should take no notice of their report, for it is but rarely, if ever, that any useful lesson is learned from prejudice and

passion. In referring to the various causes of crime, the commissioners speak of war and its consequences as follows :

"The state of war is the school of violence and crime. The fruits of its instruction exhibit themselves mainly in cities, and most of all, in the metropolis. It is observed that during the war there has been a marked tendency to crimes of violence towards persons, and other crimes of the graver character, while petty offences have not increased in proportion. Probably in no city in the civilized world, not the theatre of actual war, is human life so lightly prized and subjected to as great hazards from violence as in New York and Brooklyn. In no other such city does the machinery of criminal justice so signally fail to restrain or punish serious and capital offences.

"This is a startling proposition, but it is seen and felt by all classes of prudent and sober-minded people.

"There were arrested by the Metropolitan Police, for crimes of violence of a serious character in 1863 and 1864 respectively, as follows :

	1863.	1864.
For felonious assault.....	343	462
a-sault on policemen	19	35
attempt at rape.....	23	29
insulting females in the street.....	33	58
murder	79	48
maiming	6	6
manslaughter.....	1	10
rape	21	34
threatening life.....	12	30
	<hr/> 537	<hr/> 742

"A small portion of this mass of high crime has received the punishment provided by the laws. The fault, if any exists, is somewhere beyond the power of the police.

"During the year ending the 30th November, five members of the police force have met their deaths by violence from the hands of desperate ruffians, great numbers of whom infest the city."—p. 7.

After giving the names of the policemen who have been the victims of this violence, the commissioners make the following just and pertinent observations :

"This has occurred during the year which has not been marked by any serious riot or mob. The city of New York ought to be not only as healthy and attractive a residence as any city in the world, but it should be as safe for both persons and property ; yet its property is fearfully menaced by fires and robberies ; and persons are in startling peril from criminal violence. This lamentable state of things is due, in a great measure, to a tardy and inefficient administration of justice, aggravated by the existing state of war."—p. 8.

It is creditable to the commissioners that they have thus the boldness to tell the truth, even in regard to those charged with the administration of justice ; who, it is notorious, allow the guilty to escape rather than that they should lose a few votes when they are again candidates for a seat on the bench. Nor can it seem strange, on reflection, that they do so, since it is the class that furnish most criminals that are chiefly instrumental in electing them. There is no orderly citizen who will not agree with the commissioners in the opinion that the dangerous and growing habit, on the part of the vicious and ill-disposed, of carrying concealed weapons, ought to be prevented, as far as possible, by suitable legislation :

"Since the commencement of the civil war, the practice of carrying concealed deadly weapons by the violent and vicious classes of the city, has

become common. The practice of taking human life on slight or no provocation, has fearfully increased. Affrays which, if the parties were not armed, would end in assault and batteries, are likely to result in murders or homicides, where deadly weapons are present.

"The five members of the police force who are mentioned as having been killed by violence, were all shot by pistols in the hands of ruffians whom they were attempting to arrest; and several of those who are reported as badly wounded were assaulted with fire-arms and knives and other deadly weapons.

"It would greatly conduce to the good order of society, and to the personal safety of the citizen if a law were passed rendering it a crime to carry concealed deadly weapons."—p. 12.

It is idle to expect that a city like New York, which now contains over a million of inhabitants, can be effectually protected from the consequences of riots without a disciplined force. It is much better for the ill-disposed themselves that such a force should be at hand; its moral effect alone would prevent many a riot. There can be no greater error than to urge that there should be no troops retained in a large city or its vicinity lest they should be regarded as menacing the citizens. Had there been only two or three military companies at hand when the riots of July, 1863, commenced, neither our peaceable citizens nor the rioters themselves would have sustained one-tenth the amount of injury they did; and we are, therefore, of opinion that the following suggestions deserve consideration:

"No city or municipality is secure against the occurrence of circumstances requiring a resort to the military power to suppress violent proceedings. The law recognises and provides for such exigencies even in the rural districts of the State. In the metropolitan district there are likely to be frequent occasions for resort to the military force. The process of notifying and mustering the militia is *quite too slow for such exigencies*, and is calculated to increase the excitement and panic incident to such occasions, and to aggravate the danger of collisions. Calling out the militia is attended with great expense. It is a serious interruption of the business avocations of the members of the corps. The citizen soldier ought to be relieved as far as is consistent with the public welfare, from the hard duty of using fire-arms upon a citizen mob. These and other considerations combine in support of the suggestion that a brigade of the police force, say 500 in number, (of the existing force) be organized in military form and instructed in the manual of arms, and in evolutions adapted to service in cities. This brigade to be used as a military force only under such grave circumstances as now authorize the board of police to call out the military of the district in aid of the civil authority. Such a force, well drilled, accustomed to act together, at all times ready for duty, capable of being called out without adding to the public excitement, and without the knowledge of the hostile parties, would, it is believed, be able to defeat or arrest in their inception violent attempts to disturb the peace of the city."—p. 10.

It seems to us that the only objection to this plan is that rioters are never so much afraid of the police, however well disciplined and armed, as they are of the military. We have seen the best disciplined and bravest police in the world forced to retire by the mob in more than one European city; whereas we have seen half the number of military restore order without the loss of a single life. And the same remarks which we apply to the police apply with really equal force to the militia; the rioters, when engaged in large bodies and strongly excited, do not fear the latter more than the former.

For our own part, we have never had much faith in a voluntary fire department for a large city, or indeed for any city worthy of the name; we have always been of opinion that it would be much cheaper, as well as safer, for the city to pay its firemen, and we have discussed the subject accordingly, from time to time, in different journals. We hold that the police commissioners ought to be good judges as to the relative merits of the two systems; they are decidedly in favor of the paid system, and the following are among the cogent reasons which they assign for coming to that conclusion:

"It will appear, by reference to the last report of the chief engineer of the fire department, that of the 3,960 members, over 1,000 report themselves as residing at the several engine houses; large numbers have no other home and no other employment than volunteer firemen. Such a course of life is fatal to the men and fearfully mischievous to society.

"Boston, Philadelphia, Baltimore and Cincinnati formerly possessed five departments, organized on the voluntary principle. It is understood that the *rowdiness and violent practices fostered in these organizations became intolerable*, and led to the adoption of the paid system as the only remedy. The reports of the departments of these cities claim that a most valuable reform has resulted from the change.

"This city has experienced *the same evil in no small degree*, and would, no doubt, realise a like improvement from a similar change. Believing that the character of the department would be improved, its efficiency enlarged, and the public relieved of a source of disorder and apprehension by the measure, this board urge the adoption of the *paid system for firemen*, the substitution of steam engines for hand machines, and horses in place of men to move the apparatus."—p. 12.

We have reproduced this passage all the more cheerfully, because we see that some of our learned jurists have discovered that the new law abolishing the voluntary system and adopting the paid system in its stead is unconstitutional. Nor can we say that we are surprised at the fact—nay, for the reasons already assigned, it is precisely what we had expected. That our firemen have exercised considerable influence at our elections is notorious; it is equally notorious that they are opposed to the new law—that is, they would prefer to work for nothing than get pay! It is easy to understand, then, that they will be very grateful to those learned jurists and patriots who have discovered that the old system cannot be discontinued without violating the constitution.

The Report of the Board of Surgeons, embraced in that of the Commissioners, contains many painful facts—facts which claim the earnest attention of every friend of humanity. Such is true, for example of the following:

"We have in the city of New York, at the present time, upwards of one million of inhabitants, of whom five hundred thousand live in tenement houses. Over fifteen thousand of this latter number dwell in cellars. The larger proportion of the five hundred thousand are subjected to the tender mercies of grasping landlords, and are forced, from poverty and want of legislative protection, to live under conditions productive of diseases of the gravest character. Huddled together like cattle, in apartments where ventilation is imperfect and frequently impossible, with but few facilities for ablution; surrounded by a vitiated atmosphere, and subjected to all nuisances of a large city, this class is condemned to a process of slow but inevitable poisoning."—p. 48.

Lest any might be so skeptical as to question the truth of this, the surgeons give illustrative instances as follows :

"The cases in illustration will perhaps not be inappropriate. At No. 22 Roosevelt street is a house two stories high, 38 feet deep, 18 feet wide, and with an average of seven feet between joints. In this house there are now living five families, twenty-four persons, averaging three hundred and thirty-nine cubic feet per person. There are no windows in the rear, no sewer in the street. There is an open privy vault in the yard.

"At No. 17 Cherry street is a four story house, seven feet between floors. The house is sixteen feet wide, and contains at the present time forty-eight persons. Each one has but two hundred and eighty cubic feet. There is no ventilation except through the front windows. There is no sewer, and an open privy vault.

"At No. 293 West 33d street there are sixteen rooms and sixteen families—thirty-eight adults and twenty-two children. The sinks are all stopped ; there is no water in the house ; there is no sewerage and no privy conveniences, except open vaults not connected with the sewer. Over twenty cases of typhoid fever have occurred in this house within the last four months."

Now we think that those who are so much concerned for the spiritual condition of the heathen off in Africa and Asia, would do well to look at this state of affairs nearer home, and ask their own consciences, whether it would not be as pious, after all—as much in accordance with the principles of Christianity—to give their suffering neighbors a portion of the money sent so lavishly to those distant countries, in the shape of bibles and tracts. Far be it for us to undervalue the Scriptures ; but the heathen cannot be forced to read them ; whereas the wretched people above described would need no force, but would be grateful for the services rendered them.

The Report gives very full and apparently accurate tables of statistics. These teach useful lessons, and to those who would read them thoughtfully they are painfully eloquent. But we can only allude to them on the present occasion. We confess we had no idea that so large a portion of those arrested in this city are females. We transcribe one of the shortest of these tables and with it close our extracts.

TOTAL NUMBER OF ARRESTS IN EACH PRECINCT FOR THE YEAR ENDING OCTOBER 31st, 1864.

Precinct.	Males.	Fems.	Total.	Precinct.	Males.	Fems.	Total.
1.....	1,035	236	1,271	18.....	867	404	1,271
2.....	1,176	171	1,347	19.....	629	248	877
3.....	960	223	1,183	20.....	805	438	1,243
4.....	2,475	1,681	4,156	21.....	822	378	1,200
5.....	1,917	1,249	3,166	22.....	468	188	656
6.....	2,198	2,136	4,334	23.....	236	104	340
7.....	1,102	493	1,595	24.....	160	4	164
8.....	2,075	1,334	3,409	25.....	520	86	606
9.....	702	237	939	26.....	1,121	202	1,323
10.....	1,602	852	2,454	27.....	1,602	804	2,406
11.....	711	263	974	28.....	895	426	1,321
12.....	233	69	302	29.....	778	373	1,115
13.....	874	372	1,246	30.....	41	14	55
14.....	1,223	807	2,120	31.....	90	25	115
15.....	1,881	923	2,804	32.....	109	14	123
16.....	1,233	428	1,661	Different squads,	4,287	2,569	6,856
17.....	1,086	550	1,636	Detective squad,	360	87	447
Grand total					36,273	18,478	54,751

If the heathen, black or white, could only read and understand these figures, they might well tell us to look at home, and relieve our suffering fellow Christians, before we busy ourselves with their spiritual affairs. Personally we know nothing whatever of the police commissioners; they are as much strangers to us as if they lived in China. But whoever speaks the truth boldly and honestly in order to discourage vice, repress crime, and relieve human misery, will always receive from us all the aid which it is in our power to give.

The Veto of Governor Fenton against the Bill in favor of the Manhattan Gas-light Company.

In commenting, in our last number, on the spirited protest of the Comptroller of New York against the new privileges sought to be bestowed on the Manhattan Gas Company, it will be remembered that we had little doubt that the latter would succeed, in their usual way, in inducing the legislature to give them all they wanted. Those having millions of money at their command, and disposed, like the monopolists alluded to, to spend a portion of it to gain their ends, are not likely to fail in securing a goodly number of votes. In alluding to certain operations of the monopolists, which we thought ought to be prevented by legislation, as similar operations are in European countries, we remarked that, "let a bill, bearing directly or indirectly on the subject of gas, be introduced either into the State Legislature or into Congress, and straightway the president of the Manhattan Company is off to the capital to act as lobby-member." We also observed: "That the Legislature would bestow a moment's attention on any bill having a tendency to conflict with the interests of the Manhattan Gas Company, would be *prima facie* evidence that it was a 'nuisance.' " Our journal containing these observations had scarcely been issued when our predictions in regard to the legislature were fulfilled. That is, the legislators at Albany imitated the example of the retiring New York Common Council of 1864; but Governor Fenton has restrained the former, as Comptroller Brennan had the latter. The following are the reasons assigned by the Governor for his veto; and it will be seen that they are sufficiently cogent and satisfactory:

"I am also constrained to withhold my approval of an act 'to amend section two of chapter 543 of the Laws of 1855, entitled, 'An Act to increase the capital stock of the Manhattan Gas Company of the city of New York.' This bill proposes to repeal, 'for a period of two years,' the clause of the act of 1855, which limits the charge the Manhattan Gas Company can make against the consumers of gas to a price not exceeding \$2 50 per 1,000 cubic feet. I do not find that any person solicited this act except the stockholders of the Manhattan Gas Company, and the argument used in favor of this legislation is the alleged inadequateness of the compensation consequent upon the enhanced values of material and labor. If this declaration was justified by the facts, I should be as reluctant to admit its validity as in the parallel case presented by the plank-road companies of the State, the horse-railroad companies of the counties of Albany, Rensselaer and Erie, and by the New York Central Railroad Company. The general reasons, having reference to time and circumstances, which led me to

withhold my signature from the bills providing for the relief of these several corporations, are mainly applicable to this measure, and prevent my approval thereof. It is possible, even applied to this case, they would have still greater force, for the additional burden which would be authorized by *this act would fall upon many thousands, all of whom have been subjected to the same enhanced costs, many of whom have made the same sacrifices to the necessities of the day, and cannot well afford to pay the price now charged, and must labor many weary hours by artificial light to gain even a subsistence.* This latter class of persons constitutes, I suppose, a considerable portion of the consumers of the Manhattan Gas Company, and if that corporation was obliged, through causes which have alike affected almost every interest during the past four years, to supply light to them at the cost of production for a short period, it would not be a greater hardship than many of the pursuits of industry and the investments of capital have endured, and which have not obtained legislative relief. Is not this plea of non-remuneration applicable to its condition for a short period only? *While this bill has been before me for consideration, the price of one hundred and eighty dollars per share has been offered for the stock of this Company, according to the report at the Stock Exchange in the city of New York. A company which can obtain a premium of eighty per cent. on the par value of their stock must have had a gratifying past financial history, or a prospective prosperity, even under the restrictions imposed by the Legislature of 1855.* I cannot, therefore, consent to give my sanction to an act to *increase the pecuniary welfare of an organization whose prosperity is thus substantially affirmed, and which so largely affects the mass of population in one of the necessities as well as comforts of life.*"

This is creditable alike to the good sense and integrity of the governor. It is pleasant to have even two public officers who are proof against the temptations offered by unscrupulous wealth to betray public confidence and sacrifice the public interests. Let us hope that these two stern rebukes will prove a useful lesson to those unprincipled and heartless monopolists.

Cape Cod. By HENRY D. THOREAU, author of "A Week on the Concord and Merrimack Rivers," "The Maine Woods," &c., &c. 12mo. pp. 252. Boston: Ticknor & Fields, 1865.

WE have seldom read a book of sketches with more pleasure than this. It is fresh, graphic, and attractive; nor is the reader merely pleased in its perusal; he is also instructed; for the author intersperses even those of his sketches thrown off in most haste with interesting scraps culled from quaint works on biography, travels, natural history, &c. Thus, for example, in speaking of oysters, he gives brief extracts from different writers in support of the theory that they have no power of locomotion. He scarcely alludes to any place through which he passes, that has ever attracted the attention of any other writer, to which he does not apply an apt quotation. He does not merely tell us, in an off-hand, easy way, that a town or village was settled at a particular time; he also tells us who and what they were that settled it; and if there be anything remarkable their history, we are let into the secret in the same quiet, unostentatious way. Thoughtless persons seek to depreciate this kind of writing, because, as they say, it is not all original; forgetting that it often costs more time to find one of those extracts, brief as they are, than would be sufficient to write a dozen pages of the kind said to be "original," simply because it has nothing in it but the twaddle of the writer.

The great mistake is to be ignorant of the fact that they are really the most original writers who pay most deference to the opinions of others worthy of that distinction. Addison, Swift, Voltaire, Bayle, and Macaulay are never so eloquent as when they are commenting on some sentiment or opinion taken from another writer, and even when that writer is far inferior to themselves. We are glad to see so lively and successful a writer as Mr. Thoreau attempt to show that a book may be very pleasant and at the same time contain a good deal of information, vastly more pleasant than those inanities which pretend to do nothing more than amuse.

MISCELLANEOUS.

1. *Tenth Annual Report of the Insurance Commissioners of the Commonwealth of Massachusetts.* Part II. *Life Insurance.* Boston: 1865.
2. *Sixth Annual Report of the Superintendent of the Insurance Department.* State of New York. Albany: 1865.

THERE is a good deal that is interesting in these reports; and not to a few, or to any one class, but to the public at large; since there are now scarcely any who have not to do with insurance in one form or other. Those who have not ships or cargoes to insure, have houses; those who have not houses, have furniture; those who have not furniture, have clothing, books, or paintings; and those who have not sufficient of any worldly goods to render it worth their while to insure them, have wives, children, or mothers, for whose benefit they want to insure their lives, if only for five hundred dollars.

Thus it is no longer only business men or wealthy men who are interested in insurance. Those who dislike business of all kinds, and even consider it degrading, are as ready to avail themselves of the benefits of insurance as the most experienced merchants. But precisely because this is the fact, the utmost caution is necessary in order to avoid imposition and fraud; for the simple reason that much as the numbers who secure policies in one department or another are increasing, those who want to issue such policies and get the premiums, are increasing in a still larger ratio. In other words, however great is the demand for insurance, the supply is still greater; and whenever this is the case in any business, some party must suffer.

If the supply of garments in the clothing market is larger than the demand, unprincipled tailors will be apt to use "shoddy," so that they may attract customers by selling cheaper than their rivals; and the probability is that they will succeed for a time, because, unfortunately, there are so large a portion of the public who have not sufficient understanding to see until imposed upon, even more than once, that a spurious article is not cheap at any price. But to be defrauded of the price of a coat, a pair of boots, or a hat, even for the twentieth time, is a small

matter compared to the loss sustained by being defrauded of the amount paid regularly for years—perhaps for the length of a whole life—to an insurance company. If, then, it would be better to pay thirty dollars for a coat to an honest tailor, than to pay only five dollars to the dishonest one, still better would it be to pay an honest and responsible insurance company one thousand dollars for a policy, than to pay one of the opposite character twenty dollars.

It was not until we had carefully weighed these facts that we undertook to discuss the subject of insurance in the *National Review*. Short as the time is since we commenced to do so, insurance was comparatively new in this country to the general public. What was known about it was, in general, favorable, because most of our companies were honest and reliable; and those of the opposite character were only beginning to be found out. Having studied the working of the system in the principal countries of Europe, become aware of the fraudulent practices of persons calling themselves underwriters, and witnessed some of the deplorable consequences of those practices, we thought we should do some good by putting the American public on its guard in time. Americans had, indeed, already suffered at the hands of fraudulent underwriters; but the instances of this kind were so few that the general public had full confidence in all our insurance companies. The organs and defenders of the speculators were, therefore, able to make a very plausible show of injured innocence on the part of their clients when we published our first articles on Insurance Quackery: and, of course, in proportion as they could make the speculators seem honest and honorable, they could make us seem either very ignorant or very malicious. They tried both in turn, and no doubt succeeded in the minds of a certain class.

But every succeeding Report of the insurance commissioners and superintendents of those States of the Union in which most business is done in insurance, adduces new evidence of the truth and accuracy of our statements; we have such in each of the reports now before us; evidence the legitimacy and force of which none can pretend to question. The commissioners of Massachusetts have labored under a difficulty somewhat similar to our own. They know that the grossest frauds are perpetrated under the name of insurance; they know also that it is difficult to make the public understand the fact, and accordingly they show from the best authorities what is the experience of England, on whose systems of insurance ours are modelled. "We have heretofore alluded," say the commissioners, "to the abuse of life insurance in the country where it originated, and in which alone it has approached anything like maturity. But never till now has it been possible to characterize that abuse as it deserves, *without seeming to contradict the best authority in regard to the facts*, and consequently without running the *risk of being discredited*. The examples, however astounding or atrocious, would be regarded as excep-

tional facts, &c."* The commissioners proceed to show that so extensive was the system of fraud practised in England that the Government found it necessary, as a protective measure, "to try a system of government life insurance, limited to policies of £100, for the benefit of the classes who have been most victimized by unfortunate or fraudulent institutions."†

On this attempt the commissioners make the following just comment: "In a country so jealous of government interference with private affairs as England, and with a government so little prone to occupy itself with the particular interests of its humbler classes, it must be a *popular evil of alarming dimensions* that could call forth such interference." After some further observations to the same purport, the commissioners give extracts from the speech of Mr. Gladstone, Chancellor of the Exchequer, in favor of the Government Insurance Act, with the remark that "its passages are *more germane to the subject in hand than anything we (they) could say.*" The first extract given from the Chancellor's speech is that in which he illustrates a fact which we stated nearly three years ago; namely, that it is much easier than is generally supposed to issue a large number of policies, and get money for them, without either capital or character on the part of those who do so. We can only make room for the following part of the passage given by the commissioners:

"If so, then fears of government competition are fears that need not be entertained in quarters where prudence and honesty prevail. But *prudence and honesty do not prevail in all quarters*; and to those who tell me that this is to be considered as standing in the category of common commercial business I would reply, 'Consider for a moment the peculiar nature of Life Assurance.' This is a business that presents the direct converse of ordinary commercial business. Ordinary commercial business, if legitimate, begins with a considerable investment of capital, and the profits follow, perhaps at a considerable distance. But here, on the contrary, you begin with receiving largely and your liabilities are postponed to a distant date. Now I dare say there are not many members of this House who know to what an extraordinary extent this is true, and, therefore, to what an extraordinary extent the public are dependent on the prudence, the high honor, and the character of those concerned in the management of these institutions. When an institution of this kind is founded, so far from having difficulties at the outset, that is the time of its glory and enjoyment. The money comes rolling in, and the claims are at a distance, almost beyond the horizon. In the first year of the society the premiums far exceed the death claims. This is also the case in the subsequent years. For how long a period does the House think that the premiums to be received are in excess of the death claims? For thirty-seven years. That is to say, you found an institution which ought to be a very gospel of prudence, and the balance of its liabilities is postponed for one full generation of men."—pp. li. lii.

Further on, the Chancellor remarks:

"The House will probably like to know the fugitive character of these institutions. I will quote, as my authority, a little publication issued by the 'Guardian,' one of the first-class offices. * * * Number of companies protected, 595; founded, 274; ceased to exist, 259; amalgamations, 12. I wish I could read to the House a chapter on amalgamations; these are subjects of almost romantic interest. (Hear.) Transfers of business, 161. I think I hear a cheer from the honorable and learned member for Wallingford (Mr. Malins)

* Tenth Am. Rep. of the Mass. Commrs. Part II., L. Ins., p. xlix. † Ib.

but what will he say when I read the next item—winding up in chancery, 57. The truth is, that it is a subject which has both a comic and a tragic side."—*Ins. Com. Report*, p. lii.

In speaking of the "amalgamations," which are also but too well known in this country, Mr. Gladstone remarks:

"Such were the terms upon which those amalgamations took place. That is an illustration of what you will probably say is no better than wholesale robbery. Nay, more, I will go a step further, and say that a great many of those proceedings are worse than wholesale robbery, and there are many persons who have never seen the inside of a gaol, and yet who had fitter be there than many a rogue that has been convicted ten times over at the Old Bailey.—p. lv.

It can hardly be pretended that the Chancellor of the Exchequer was actuated by vindictive feelings against the underwriters. During the same debate a speech was delivered by the member for Guildford, from which the commissioners give an extract. From this also we take the following passage:

"One or two persons started a Life Assurance and Annuity Society, and published a flattering prospectus inviting domestic servants to invest their savings. Funds flowed in, but the whole of the moneys were appropriated by the managers and directors, and when the limited field which they cultivated was exhausted there was nothing to pay the insurers. It then appeared that the promoters had hired twelve directors, and had given them names of great distinction—he would not mention the names lest he should insult honorable members present—but the best names in the city of London were represented to be on the board. Those names were of great value in the prospectus, and the persons who represented them, he believed, were retired school-masters with bald heads, powdered wigs, and every artifice to inspire confidence. The rate of payment by the rules was 5s. per head per day. Further, to insure a good personal appearance, coats, waistcoats, and trousers were supplied, and the directors were enjoined to wear expensive jewelry, such as diamond rings, which were also provided out of the funds, and for not wearing a ring the fine was 2s. 6d. Ludicrous as it might appear these facts were proved over and over again, and hundreds, nay thousands, of poor persons were in this manner defrauded of their savings."—p. lvi.

That there are companies of this description in New York, Philadelphia, and Boston, is a fact as certain as that there are mock auctioneers in Chatham street, and certain other localities in that neighborhood. We know three life companies in New York, for whose policy we would not give one dollar; yet none put on more sanctimonious airs. Two of them issue their magic documents from small rooms up stairs, the other from a basement; it is but rarely that more than one of the "officers" are present; but if inquired for, they are sure to be attending a meeting of the trustees, convened for the purpose of considering the percentage of dividends, which it would be advisable to issue at the proper time, consistently with the necessity of always keeping on hand a large surplus fund to meet extraordinary liabilities, such as occur during the prevalence of epidemics, &c.

None in the habit of glancing at our comments on insurance need be informed that we do not mean to attribute all the fraud to life companies; all other departments have companies equally unscrupulous; equally

ready to swindle on as large a scale as they can. But the fire and marine swindlers are much sooner found out than the life swindlers, for the obvious reason that those who insure with the latter can make no claim until they are dead, whereas, those who insure with the former, have a claim to make as soon as their ships, cargoes, residences, or stores, as the case may be, have met with the accidents against which they had been insured.

As the report of the superintendent for New York is not yet published, we should not have known it contains had that gentleman not been so polite as to favor us with some of the proof sheets. No one, indeed, is more willing to afford the press all necessary facilities to discuss the subject of insurance in all its bearings; and were he otherwise disposed, we could not say, as we now can, that Governor Fenton has acted judiciously in retaining him in office. We know no one better qualified for the position, although we think he is sometimes a little too enthusiastic, and not ill-natured enough to suspect fraud where it really exists. That he makes no attempt to conceal it when he believes it does exist, but, on the contrary, does not hesitate to expose it, we readily admit; but we are convinced that there are several companies which make a good figure in his Report that belong to the spurious class. Nor can we agree with him in his estimate of the resources and character of certain new companies; for we do not believe that more than two or three of them are worthy of the least confidence. But, although we are not quite so sanguine as he, we agree with him that considerable improvements have been made of late; what we mean by this will be better understood from the following remarks with which he commences his report for 1865:

"The solid foundations of our insurance companies are now being laid down deep and strong upon a broad basis, adequate to the transaction of a largely increased business in all departments, not only in the state, but throughout the nation. Our capitals are being increased; surpluses accumulated; incompetent officers displaced; our already numerous agencies are being largely extended and systematized; risks are criticised and carefully examined; the laws of chance, governing fires and other events insured against, are more deeply studied and carefully tabulated; and on every side we find increased ability, resources, and appliances for conducting the business or profession of underwriting."

The superintendent reports that there has been a considerable increase in the business generally during the past year; and this is a fact in which he cannot be contradicted. We quote a brief passage:

"The Fire premiums of the New York joint-stock companies increased from \$10,181,030.52 in 1863, to \$15,618,603.82 in 1864—the ratio being 53.4088, which is the highest ever known in the history of these corporations. The number of policies issued by New York Life Insurance companies increased from 20,757 in 1863, to 20,782 in 1864, and the amount insured from \$140,628,427.10 to \$194,819,324.45. The gross assets of all the New York companies, Fire, Marine and Life, increased during the year from \$82,488,056.07 to \$103,453,772.76." p. lxxvi.

We know several companies ourselves, Fire, Marine, and Life, whose

success during the past year has been almost incredible. The example that first presents itself to our memory as most remarkable is that of the Morris Fire and Inland Insurance Company, which is little more than a year in existence altogether, which commenced with a capital of only \$200,000, but whose assets on the first of the present month amounted to \$803,137. The secret of this unusual success is, that if the company is new, its officers rank among our most experienced and most accomplished underwriters, and what is, perhaps, better still, none enjoy, to a larger extent, the confidence of our business men. In proof of this, it is sufficient to say that it is the same officers who, in a few brief years, secured a position and prestige for the Columbian Marine Insurance Company, second to those of no similar institution in this country.

The United States Life Insurance Company has issued its fifth triennial dividend, which amounts to forty per cent. on the premiums of the three years ending March, 1865. The directors also announce an addition of twenty per cent. to the amount of all previous dividends and additions on policies in force at the same date, payable in cash, with the sums insured when the latter become due according to the charter. This is an encouraging record for the policy-holders. The plan is the same as that of the old Equitable of London, which makes the insurance company perform the functions of a savings bank. Thus, the premiums paid to the United States are the same as deposits, the interest upon which may be drawn and replaced at pleasure. What is perhaps better than all, the officers of this company make no attempt to evade their liabilities, but pay promptly without putting the rightful claimant to any expense.

This is more than could be said of the Mutual Life, with all its high sounding pretensions; but perhaps the reason is, that if the policies of the latter do not afford entire immunity from death to their holders, they are at least said to possess the property of imparting a high degree of longevity. Yet the Mutual has lately been borrowing one or two of the peculiar features of the New York Life, although hitherto it has made but clumsy use of them. It may ultimately succeed in assimilating them, but in the meantime we are bound to remember that, however much we may boast of our own ideas, if we purloin those of others, and give prominence to them, while at the same time we seek to conceal their origin, the inference is that, at heart, we recognise their superiority. Still, it must be confessed that there is nothing strange in seeing the ideas of a *Franklin* stolen by one who has scarcely any ideas of his own.

So far as we are aware, the life company which has done most business in one month is the Equitable Life Insurance Society of New York. During the month of May last it insured lives to the amount of \$112,200, and received \$37,000 for its policies. The most successful of all the new life companies, either in this country or in England, is the Globe Mutual. It was only one year in existence at the beginning of the present month,

and it has issued 2,064 policies, for which it has received \$25,656.13. The amount it has insured is \$5,742,337, while it has only lost \$2,000. Its expenses for the year have been about half those of the first years of companies in general; and its losses about one-ninth of the same. However, novices in insurances should not be deceived by this record; for although the company is new as such, its principal officers are veterans in the profession. We believe that Mr. Pliny Freeman, the President, is the oldest life underwriter in America; yet he is scarcely more accomplished than the Vice-President, Mr. R. G. Bloss; and be it remembered that in no profession can it be said that knowledge is power more emphatically than in life insurance.

It seems that all commissioners, superintendents, critics, policy-holders, &c., at home and abroad, concur in assigning to the New England Mutual Life the first rank for its reliability and integrity; nor have we any reason to doubt that they are perfectly right in doing so, but the contrary, for no company can boast more intelligent officers. We are glad to learn, therefore, that its business in this city has largely increased during the last five months.

But why will not Mr. Barnes inform the public that there are many New York companies, especially life companies, that are far from being successful. Several of them stand in need of having their own lives insured. Since it is admitted on all hands that corporations have no souls, it can hardly be said that the truth can make them blush. There can be no harm, therefore, in expressing some concern, in a friendly way, for the condition of such life companies as the North America, the Security, the Guardian, and the Washington. We fear it may be said of each of these, with but too much truth, that the world is not its friend, nor the world's law; that the world contains no law to make itself or its policy-holders rich. Supposing these four would amalgamate, combining their capital, stock, assets (?), furniture, blank forms, presidents, ledgers, day-books, &c., might they not make one tolerable company—one in which the public would have confidence? There are several fire and marine companies whose condition seems equally precarious, and which, we think, would do well to act on the same suggestion, or dissolve altogether; but we think that upon the whole it were better for all concerned that they would pursue the latter course.

Petroleum Journals and Documents, June, 1865.

DOUBTLESS many thought that our sketches of the petroleum speculators and their prospects, in our March number, were grossly exaggerated, if not altogether erroneous; but where are all those inexhaustible wells now that yielded from fifty to five hundred gallons of oil per day? Has the warm weather dried them up? or will they only flow in war times, when cotton is scarce and shoddy plenty? Of about a thousand

companies, each of which was capable of enriching half our people only three months ago, we only see one that shows the least sign of genuine vitality. As this, therefore, may be regarded as a curiosity, we think it proper to say that we allude to the New York, Philadelphia, and Baltimore Consolidated Petroleum Company. But the officers of this institution are neither visionaries nor boasters, but shrewd, honest, business men, who save the hay while the sun is up; and, besides, they have been fortunate in finding a new well that is now yielding one hundred barrels of oil per day. Perhaps the numerous other wells that have so suddenly and mysteriously refused to run, will resume operations as soon as the weather grows cool.

Nephrotherapy : the new system for the treatment of Diseases of the Throat, &c., &c., &c. By Dr. BENFORD LIGHTHILL. New York : Carleton, 1865.

THAT performances of this kind should exercise any influence, or excite any other feelings than those of contempt and scorn, is a sad commentary on our civilization. It consists of some crude odds and ends taken from different works got up in the interest of quackery. The whole affair is made to extend over some forty-four pages, about one third of which are blank. The "matter" is nothing more nor less than what the "Doctor" has published for months in the newspapers, in the form of advertisements; but however worthless and ungrammatical it is, the distinguished person whose name it bears, and who pretends to be the author of a half dozen other "works," is not capable of writing a single paragraph of it.

The latest improvement in the science of quackery is this contrivance of book-making. Mr. Quack thinks he must be an author if his specialty is only to cut corns, or cause the hair to wax luxuriant, or prevent it from growing grey, as the case may be; that is, whether he calls himself a chiropodist, a dermatologist, an oculist, an aurist, &c., &c., he must get up a book. But why not? He finds his account in it; it is not he that is to blame, after all, but those who are so stupid and credulous as to permit themselves to be swindled by such shallow, vulgar tricks.

1. *Merry Chimes : A Collection of Duets, Trios, and Sacred Pieces for Juvenile Classes, Public Schools and Seminaries ; to which are prefixed Elementary Instructions and Attractive Exercises.* By L. O. EMERSON, author of "Golden Wreath," "Golden Harp," &c., &c.
2. *Eli : An Oratorio.* First performed at the Birmingham Musical Festival, August 29th, 1855. The Words selected and written by WILLIAM BARTHOLOMEW. The Music composed by MICHAEL COSTA. Boston : Oliver Ditson & Co. 1865.

WHAT Ticknor & Fields are to American literature, Oliver Ditson & Company are to American music. The latter as well as the former stand at the head of their profession in this country, in all that is calculated to

inspire confidence in the merit of their publications. Nor do we admit this fact the less willingly because both belong not to New York, but to Boston, however much some of our enterprising neighbors may frown upon us for it. We do not pretend to be critical in music; it is one of the many things in regard to which our knowledge is limited. But we have good reason to believe that the two volumes before us are each excellent in its kind. The "Merry Chimes" contains a large variety of familiar and beautiful songs, suited for youth; the whole collection is admirably calculated to encourage the study of music, partly by the skill and taste with which the pieces have been selected, and partly by the clear and lucid instructions in the elementary part.

The *Eli* has a European fame. Indeed, there are but few oratorios that give more satisfaction to a religious audience. There is not so much sublimity or grandeur in it as in the oratorio of the Creation, but some think there is more tenderness, more pathos—in short, more piety. It contains many passages of exquisite sweetness and melody. This is true, for example, of "Woman, how long wilt thou?" "Hannah, why weepest thou?" and "O, ye Kindreds!" (chorus of Levites), in Part I, and of "Woe unto us!" "My mother, bless me," and "When shall I arise?" in Part II. Both volumes are tastefully gotten up, and correctly printed; in a word, they are in every respect such as we would confidently recommend to our friends.

Remember Me; or, The Holy Communion. By RAY PALMER. 12mo, pp. 102. Boston: The American Tract Society, 1865.

THERE is so little in this volume which is sectarian that we can hardly infer from it to what church the author belongs. We learn from the preface that he is a pastor of some church, but nothing further in regard to his peculiar theological views. How much more Christian-like it is to write or compile a book in this spirit than to fill it with denunciations and invectives against all who differ with the author. There is nothing more ill-judged than one of the latter kind; nothing more unchristian, since nothing is more contrary to the teachings of Christ than to seek to disseminate strife, or to revile those whose only alleged fault is that they entertain opinions different from our own. The object of the present volume is to show all in need of information on the subject how they should devote themselves to the sacrament of the Lord's Supper; and the author avails himself of poetry as well as prose, as a means of producing that feeling and condition of mind which the divines of nearly all churches hold to be necessary for that purpose.

The Charimeter, or Christian Man's Measure of Charity. New York; General Prot. Episcopal Sunday School Union, 1865.

WE think there is no Christian family which would not do well to have a copy of this simple chart hung up in some discreet corner of the

house ; but in order that its usefulness may be appreciated it must be seen and examined. It shows by a graduated scale how we may be elevated by faith and good works from heartlessness and distrust to genuine Christian love.

Annual Report of Samuel Leiper Taylor, Librarian of the Historical Society of Pennsylvania, for the year, 1864. Philadelphia, 1865.

We are glad to learn from this report that this Historical Society of Pennsylvania is making considerable progress in the good work of establishing a library ; in our opinion its efforts show that it deserves the aid of all who are capable of appreciating the value of historical research as a means of improving civilization and increasing human happiness.

THE Equitable Life Assurance Society.

OFFICE, No. 92 BROADWAY, NEW YORK.

Assets - - - - - \$1,100,000

THE AMOUNT OF THE FIRST RETURN OF SURPLUS of this Society for the five years ending December 31st, 1864, will be made known as soon as the voluminous calculations of the Actuary are completed. It is believed that this return of surplus will be in the highest degree acceptable to the policy-holders, as the success of the Society has been unequalled by that of any other Life Insurance Company in the United States or Europe in the same number of years after formation.

The present return of surplus may be applied in either one of four different ways at the option of the policy-holders, viz.:

- I. To the Purchase of Additional Insurance, Payable with the Policy at Maturity.
- II. To the Purchase of a Reduction of each Future Premium during the whole continuance of the Policy.
- III. To the Purchase of Additional Insurance for the four years next succeeding, by which the amount insured will be increased more than fifty per cent.
- IV. To the Purchase of a Reduction of each Premium for the next five years.

PRESENT AGE	FIRST PLAN. ADDITION FOR LIFE.	SECOND PLAN. REDUCTION FOR LIFE.	THIRD PLAN. ADDITION FOR FIVE YRS.	FOURTH PLAN. REDUCTION FOR FIVE YRS.
20	403.61	5.39	2,165.40	21.93
30	337.26	5.78	1,989.00	21.96
40	272.06	6.48	1,675.39	22.02
50	214.14	7.73	1,125.80	22.21
60	169.36	10.35	571.14	22.83

The exact amount by each plan, for every policy in force, will be sent to each policy-holder as soon as the circulars can be made out, so that each person can make an intelligent choice.

By recent resolutions of the Board, the Society will issue policies to the amount of \$20,000. Policies issued by this Society are indisputable on account of suicide after the first two years. Policies indisputable from any cause whatever, except fraud, after five years.

The *EQUITABLE* offers the following advantages to persons about insuring:

The ratio of expenditure to income is less than that of any other Cash Company in the United States.

The income is larger than that of any other Cash Company in the United States, save one.

No Company ever organized in this country or in Europe has met with such extraordinary success in the same period after its formation.

After three annual payments have been made, the Society, on surrender of the original policy, will issue a policy paid up in full for the total amount paid.

The entire surplus of the Society is divided in the most equitable manner among the policy-holders.

Legal interest alone is allowed to Stock-holders; so that policy-holders have the advantage of having their affairs managed by persons pecuniarily interested in the success of the Society.

The rates of premiums are as low as by any other first-class Company.

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HENRY DAY, Attorney.

DANIEL LORD, Counsel.

Send at once for the Society's documents, which are furnished gratis.

Persons residing in New York or vicinity, desiring to insure their lives, may do so by calling at their office, where the physician is in attendance from 12 to 1 o'clock; or, by informing the officers, they will be waited upon by one of the Society's agents, at their house or office.

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Where there is no Agency, persons can insure by communicating directly with the Society.

OFFICE OF THE
A. S. Life Insurance Company,
No. 40 WALL STREET.
 NEW YORK, May 15, 1865.

FIFTH TRIENNIAL DIVIDEND.

The Board of Directors have this day declared a Dividend of FORTY per cent. on the Premiums of the three years ending 4th of March, 1865; and an addition of TWENTY per cent. to the amount of all previous Dividends and additions, on policies in force on the 4th of March, 1865, payable in cash with the sums insured, when the sums insured become due, as provided in the Charter.

Triennial Balance Sheet, March 4, 1865.

ASSETS.	
Bonds and Mortgages.....	\$403,500 00
Cash in Manhattan Bank.....	25,230 37
Cash on Temporary Loans.....	33,745 00
United States Securities, viz:	
Sizes of '81, par.....	\$165,000 00
" Five-Twenties, par.....	305,000 00
Fives, Ten-Forties, cost.....	14,981 25
One year certificates, par.....	51,000 00
Legal Tender, compound interest, par.....	14,200 00
Seven-Thirties, par.....	70,000 00
New York City Bonds, par.....	620,181 25
Brooklyn City Bonds, par.....	30,000 00
Due by Agents.....	24,000 00
Loans on Policies.....	42,964 40
Interest Receivable.....	138,181 27
Real Estate in Brooklyn.....	31,916 73
Deferred Premiums, net.....	9,820 00
	\$1,403,001 71
LIABILITIES.	
Capital.....	\$100,000 00
Dividends of 1853, 1856, 1859, and 1862, with interest.....	195,183 84
All losses known or reported and not paid.....	4,500 00
Reinsurance Fund.....	835,451 81
Surplus, for dividend of 1865.....	267,866 06
	\$1,403,001 71

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JAMES W. G. CLEMENTS, M. D., *Medical Examiner.*

WILLIAM DETMOLD, M. D., *Consulting Physician.*

J. B. GATES, General Agent, and JAMES STEWART, HENRY PERRY, ALBERT O. WILLCOX, A. WHITNEY, HIRAM P. CROZIER, GRENVILLE R. BENSON, CHARLES NORTHSHIELD, ALFRED PINNEY, J. J. WHITNEY, and WILLIAM H. WILSON,
 Local Agents in the City of New York and vicinity.

NEW ENGLAND
MUTUAL LIFE INSURANCE COMPANY
OF BOSTON.

BRANCH OFFICE, 110 BROADWAY, NEW YORK.

DIRECTORS IN BOSTON.

WILLARD PHILLIPS,
M. P. WILDER,
W. B. REYNOLDS,
HOMER BARTLETT,

THOMAS A. DEXTER,
SEWALL TAPPAN,
GEO. H. FOLGER,
JAMES S. AMORY,

CHARLES HUBBARD,
FRANCIS C. LOWELL,
BENJ. F. STEVENS.

WILLARD PHILLIPS, PRESIDENT. BENJ. F. STEVENS, VICE PRESIDENT.

JOSEPH M. GIBBENS, SECRETARY.

This Company was established in Boston, Mass., and commenced the issue of policies in 1843. The surplus assets have been divided among the members every fifth year since that date. The last distribution, made in 1863, amounting to \$750,000 being 40 per cent. in cash on all premiums paid, was returned to the members. The insured may, however, have the same applied to the reduction of annual premium, or added to the policy, at option. The Company being purely mutual, and having no stockholders, the entire surplus is divided equitably among the insured. The present accumulated fund is over \$3,000,000, which is safely invested, and the expenses are proportionately less than any other Company. All claims on the Company, arising by death or otherwise, are promptly paid, on presentation of the proper proofs; and in the course of 21 years' business no claim for loss has ever been carried before a jury. Policies of all descriptions are issued by this Company, comprising Life policies, Endowment. Payable at a certain age, Full paid Ten year, Non-forfeiture, Joint life, and Term policies.

The payment of premium may be made in Cash, or by note for one-half, which note is canceled by the distribution, and the remaining one-half in cash or quarterly payments, thus making it very convenient for persons of moderate means to meet the payment of their premiums promptly. As an investment, it is the best that can be made, and in case of decease, the insured are largely the gainers.

Printed documents, pertaining to the subject, together with the report of the Company for the past year, and tables of premiums, supplied gratis, or forwarded free of expense by addressing

SAMUEL S. STEVENS,
Agent and Attorney for the Company,
No. 110 BROADWAY,
Cor. of Pine st.,
NEW YORK CITY.

PURELY MUTUAL LIFE INSURANCE.

NEW-YORK LIFE INSURANCE CO.

ESTABLISHED 1845.

Home Office, 112 & 114 Broadway, N. Y.

ASSETS, \$3,658,755—SECURELY INVESTED.

There is nothing in the Commercial world which approaches, even remotely, to the SECURITY of a well-established and prudently managed Life Insurance Company.—
De Morgan.



A Policy of Life Insurance is always an evidence of prudent forethought, and no man with a dependent family is free from reproach if his life is not insured.—*The late Lord Lyndhurst, Chancellor of England*

This is one of the OLDEST, SAFEST, and most SUCCESSFUL Life Insurance Companies in the United States, and offers advantages *not excelled*, and, in some respects, *not equalled*, by any other. It has paid to widows and orphans of the assured nearly **THREE HUNDRED THOUSAND DOLLARS**. Its Trustees in New York city are of the very first and most reliable names.

It is **STRICTLY MUTUAL**, the policy holders receiving the entire profits.

Special care in the selections of its risks,—strict economy,—and a safe and judicious investment of its funds,—**emphatically characterize the management of this Company.**

Premiums received **QUARTERLY, SEMI-ANNUALLY, or ANNUALLY**, at the option of the assured. Policies issued in all the various forms, of **WHOLE LIFE, SHORT TERM, ENDOWMENT, ANNUITY, &c.**

DIVIDENDS DECLARED ANNUALLY, (for 1864, 50 per cent.)

The mortality among its members has been *proportionately less* than that of any other Life Insurance Company in America—a result consequent on a most careful and judicious selection of lives, and one of great importance to policy holders.

It offers to the assured *the most abundant security in a large accumulated fund amounting now to nearly*

FOUR MILLION DOLLARS.

It accommodates its members in the settlement of their premiums, by receiving a note for a part of the amount when desired—thus furnishing Insurance for *nearly double* the amount for about the **SAME CASH PAYMENT** as is required in an "all cash Company."

The **NEW FEATURE** in Life Insurance, recently introduced by this Company, of issuing

LIFE POLICIES NOT SUBJECT TO FORFEITURE,

is regarded with universal favor, and annihilates the only argument of any weight which can possibly be brought against the system of Life Insurance.

The lively prosperity and success of this Company is shown in the **FACT**, that for the last three years it has taken the lead of **ALL** the Life Insurance Companies in this country; the *Official Returns of the Massachusetts Insurance Commissioners* showing that the amount of its **NEW BUSINESS** for the year 1862, nearly **equalled the combined business of any other two Companies** in the United States. (See Statement next page.)

EXAMINE THIS TABLE CAREFULLY.

Table of Premiums for a Non-Forfeiture Policy, requiring only Ten Annual Premiums in Cash to secure \$1,000 at the Death of the Assured.

AGE.	Annual Prem. for Ten Years.	AGE.	Annual Prem. for Ten Years.	AGE.	Annual Prem. for Ten Years.
18	\$39.63	31	\$52.11	44	\$68.33
19	40.38	32	53.09	45	69.61
20	41.15	33	54.16	46	71.00
21	41.98	34	55.31	47	72.46
22	42.87	35	56.54	48	74.05
23	43.81	36	57.82	49	75.90
24	44.80	37	59.15	50	78.41
25	45.84	38	60.52	51	81.27
26	46.91	39	61.95	52	84.24
27	48.05	40	63.35	53	87.33
28	49.19	41	64.64	54	90.54
29	50.24	42	65.88	55	93.90
30	51.17	43	67.08		

Dividends declared upon the ordinary Life Table Rate. If the premiums of the Non-Forfeiture Policy are paid all cash, the Dividends operate as an Annuity to the party during his whole life.

If the party insured on this plan desires to discontinue payments after the second payment, he will be entitled to a **PAID-UP POLICY** of as many tenths of the original amount insured as he has paid annual premiums.

The following is a summary of the Company's business for the year 1864

Number of Policies issued, 4,905.

Insuring the sum of \$13,147,558.

Received for Premiums and Interest.....\$1,729,811

Losses, Expenses, and Dividends paid.....724,593

Balance in favor of Policy Holders.....\$1,005,218

Total Assets, January 1, 1865.....\$3,658,756

NAME OF COMPANY.	When Organized	Number of Policies issued in 1861.	Number of Policies issued in 1862.	Number of Policies issued in 1863.
New York Life.....	1845	1160	3302	4338
Mutual Life.....	1843	1120	1833	2594
Connecticut Mutual....	1846	1087	1775	4230
Mutual Benefit.....	1845	866	1741	2840
New England Mutual..	1843	817	1498	1729
Manhattan.....	1850	688	1149	1464
Equitable.....	1859	536	1233	1271
Home.....	1860	869	788	1751
United States.....	1850	651	666	819
Massachusetts Mutual.	1851	600	662	808
Knickerbocker.....	1853	242	551	739
Guardian.....	1859	230	688	885
Germania.....	1860	240	722	2018
Union Mutual, Me.....	1850	436	334	939
National, Vt.....	1850	111	170	218
Washington.....	1860	179	362	445
State Mutual.....	1846	198	129	137
Berkshire.....	1852	237	149	169
North America.....	1862		71	740
Charter Oak.....				695

From the above it will be seen that the number of policies issued in 1861, 1862, and 1863, by the "New York Life," exceeded that of any other Company in the United States. Much of this success is due to the non-forfeiture plan originated by this Company, and more fully described on the next page.

The New-York Life Insurance Company

Have originated and adopted a NEW FEATURE, known as

THE NON-FORFEITURE PLAN,

Which is rapidly superseding the old system of life-long payments. It has received the unqualified approval of the best business men in the land, large numbers of whom have taken out policies under it, purely as an investment.

A new schedule of rates has been adopted, under which the insurer may *cease* paying at any time without forfeiture of past payments, and

AT THE END OF TEN YEARS ALL PAYMENTS CEASE ENTIRELY

and the policy thenceforward becomes a *source of income* to him. To secure this result the annual rate of insurance must of course be somewhat higher. But almost any person in active business would greatly prefer paying a higher rate for a *limited time* and be done with it, to incurring a life-long obligation, however small.

By the table on which this class of policies is based, a person incurs no risk in taking out a policy. Insuring to-day for \$5,000, if he dies to-morrow, the \$5,000 immediately becomes a claim; and if he lives ten years, and makes ten annual payments, his policy is paid up—nothing more to pay, and still his dividends continue, making

HIS LIFE POLICY A SOURCE OF INCOME TO HIM WHILE LIVING.

The only argument of weight offered against Life Insurance is, that a party might pay in for a number of years, and then, by inadvertence, inability, &c., not be able to continue paying, thereby losing all he had paid. The "New York Life" have obviated this objection by their TEN YEAR NON-FORFEITURE PLAN.

A party by this table, after the second year,

CANNOT FORFEIT ANY PART OF WHAT HAS BEEN PAID IN.

Thus, if one insuring by this plan for \$5,000, discontinues after the second year, he is entitled to A PAID-UP POLICY, according to the number of years paid in, viz.:

Second year, two-tenths of \$5,000 (am't ins'd), amounting to \$1,000, with divid'd on same for life.					
Third year, three-tenths of " " " " " "	1,500,	"	"	"	"
Fourth year, four-tenths of " " " " " "	2,000,	"	"	"	"
Fifth year, five-tenths of " " " " " "	2,500,	"	"	"	"

And so on, until the tenth annual payment, WHEN ALL IS PAID, and DIVIDENDS STILL CONTINUE DURING THE LIFE-TIME OF THE ASSURED.

☞ This feature, among others, has given to this Company a success unparalleled in the history of Life Insurance.

A credit of twenty per cent. is given on this table if desired. The current New York rate of interest upon these credits is required to be paid annually until they are cancelled by dividends, or paid off by the assured.

MORRIS FRANKLIN, *President.*
ISAAC C. KENDALL, *Vice-President*
WILLIAM H. BEERS, *Actuary.*

TRUSTEES.

MORRIS FRANKLIN,	WM. C. DUSENBERRY,	ISAAC C. KENDALL,	WM. B. APPLETON,
JOHN M. NIXON,	JOHN E. WILLIAMS,	JOHN L. ROGERS,	ROBERT B. COLLINS,
DAVID DOWS,	HENRY K. ROBERT,	JOHN MAIRS,	DUDLEY B. FULLER,
DANIEL S. MILLER,	THOMAS SMULL,	RUSSELL DART,	WM. A. BOOTH.
WILLIAM BARTON,			

TWENTIETH ANNUAL REPORT.

Amount of Assets January 1, 1864, - - - - -	\$2,653,537 92
Amount of Premiums, Endowments, Annuities and Policy Fees received during 1864, - - - - -	\$1,477,193 43
Amount of Interest received and accrued, including premium on gold &c. - - - - -	252,617 72— 1,729,811 17
Total - - - - -	\$4,383,349 09

DISBURSEMENTS.

Paid Losses by Death - - - - -	\$315,200 00
Paid on account of deposit for minors, sundry accounts unsettled December 31, 1863, and War contributions, - - - - -	9,494 53
Paid for Redemption of Dividends, Annuities, and Surrendered and Cancelled Policies, - - - - -	157 732 17
Paid Salaries, Printing and Office Expenses, - - - - -	42 281 40
Paid Commissions and Agency Expenses, - - - - -	159,257 38
Paid Advertising and Physicians' Fees, - - - - -	20,236 73
Paid Taxes, Internal Revenue Stamps and Law Expenses, - - - - -	14,401 28— 724,593 54

\$3,658,755 55

ASSETS

Cash on hand and in Bank, - - - - -	194,549 70
Invested in United States Stocks, cost - - - - -	1,329,230 63
(Market value, \$1,394,805.)	
Invested in New York City Bank Stocks, cost - - - - -	52,561 50
(Market value, \$58,225.)	
Invested in other stocks, cost - - - - -	85,254 94
(Market value, \$98,490.)	
Loans on demand, secured by United States and other Stocks, (Market value, \$208,393.)	201,870 00
Real Estate - - - - -	149,930 04
Bonds and Mortgages, - - - - -	286 370 00
Premium Notes on existing Policies bearing interest - - - - -	1,008 801 60
Quarterly and Semi-Annual Premiums due subsequent to January 1, 1865, - - - - -	178,718 07
Interest accrued to January 1, 1865, - - - - -	63,246 33
Rents accrued to January 1, 1865, - - - - -	2,372 68
Premiums on Policies in hands of Agents, and in course of transmission, - - - - -	105,624 01
Amount of all other property belonging to the company, - - - - -	136 15— 3,658,755 55

The Trustees have declared a return premium as follows: a Scrip Dividend of FIFTY PER CENT., upon all participating Life Policies in force, which were issued twelve months prior to January 1, 1865. They have directed the payment of the Fifth and final installment of Twenty per cent. on scrip of 1859 to 1863, inclusive, and the redemption in full of those declared in 1861 and 1862.

Certificates will be redeemed in cash, on and after the first MONDAY in MARCH next, on presentation at the Home office. Policies subject to Notes will be credited with the return on the settlement of next premium.

By order of the Board.

WILLIAM H. BEERS, Actuary.

During the year, 4,905 new policies were issued, insuring \$13,147,558.

Balance Sheet of the Company, Jan. 1st, 1865.

Assets as above, - - - - -	\$3,658,755 55
Disposed of as follows:	
Reserved for Losses due subsequent to January 1, 1865, - - - - -	\$67,241 45
Reserved for Reported Losses, awaiting proofs, &c., - - - - -	40,500 00
Reserved for Special Deposit for minor children, - - - - -	255 70
Amount reserved for Reinsurance on all existing policies (valuations at 4 per cent. interest,) - - - - -	2,432,955 32
Dividends declared prior to 1859 uncalled for, - - - - -	13,481 61
Reserved for:	
Dividends 1859 to 1863, inclusive balance now to be paid, - - - - -	196,271 17
Do 1861 and 1862, now to be paid, - - - - -	148,837 24
Do 1863, (present value at 4 per cent. interest,) - - - - -	84,644 61
Do 1864 do do do do do do - - - - -	139,217 73
Do 1865 do do do do do do - - - - -	312,647 09
Special Reserve (surplus not divided,) - - - - -	213,673 57 — \$3,658,755 55

MORRIS FRANKLIN, President,
ISAAC C. KENDALL, Vice-President,
WILLIAM H. BEERS, Actuary.

THEODORE M. BANTA, Cashier.
CORNELIUS H. ROBERT, M. D. } Medical Examiners.
GEORGE WILKES, M. D. }

PURELY MUTUAL.

KNICKERBOCKER LIFE INSURANCE CO.

Office: 161 BROADWAY, NEW YORK.

ERASTUS LYMAN, *President.*

GEORGE F. SNIFFEN, *Secretary.*

Assets over \$600,000.

This first-class Company offers the most liberal inducements to parties seeking Life Insurance, and will issue policies in amounts from \$100 to \$10,000 on all the various plans.

The official reports of the Insurance Commissioners of Massachusetts and New York, place the KNICKERBOCKER in the front rank of American Life Corporations.

Holders of Policies will have every privilege extended to them, in the settlement of premiums, and in the transaction of all business with the Company.

Dividends paid in Cash, or made Reversionary, as the Assured may elect.

Western Branch Office.

Kingsbury Block, Chicago, Ill.

B. F. JOHNSON,
Manager.

Southeastern Branch Office.

16 Second Street, Baltimore, Md.

J. A. NICHOLS,
Manager.

GLOBE

Mutual Life Insurance Company.

OFFICE

Cor. BROADWAY and FULTON STREET, N. Y.

THIS COMPANY COMMENCED BUSINESS ON THE 10TH DAY
OF JUNE, 1864, AND HAVE ALREADY ISSUED
1,002 POLICIES, INSURING \$2,979,937.

STATEMENT, JANUARY, 1865.

Capital Stock paid in June, 1864.....		\$100,000 00
Number of Policies issued, 1,002.....		
Premiums received.....	\$123,110 65	
Interest.....	9,823 40	
		<hr/> 133,194 05
		<hr/> \$233,194 05

DISBURSEMENTS.

Losses (none).....		
Commissions to Agents, Doctors's Fees, etc.....	\$9,394 53	
Salaries, Printing, Postage and Office Expenses.....	6 490 03	
Advertising.....	602 82	
Taxes, Internal Revenue, and Law Expenses.....	607 25	
Rent.....	1,374 31	
		<hr/> 18 463 94
		<hr/> \$214,725 11

ASSETS.

Cash on hand and in Bank.....	\$12,171 00	
Cash deposited on Interest.....	13 500 00	
Invested in U. S. Stocks.....	133 182 54	
Office Furniture and Fixtures, &c., &c.....	1,163 62	
Premiums due from Agents in course of transmission.....	22 197 20	
Quarterly and Semi-Annual Premiums due subsequent to January 1.....	32,510 95	
		<hr/> \$214,725 11

The Company have adopted a new and valuable feature, effectually removing the only valid objection to life-insurance, viz.: that if at some future time the insured should be unable to continue his premiums, either from choice or necessity, he would lose all he had paid. This Company make all their policies non-forfeiting. If, on the common life or endowment tables, the insured wish to discontinue his premiums, either from choice or necessity, after three annual premiums have been made, he will be entitled to a full paid policy for the whole amount of premiums paid, thus making a deposit of all he has paid for the benefit of his loved ones at his death.

The appreciation of this new and valuable feature may be seen by the large amount of business done by this Company in six months and twenty one days, to the 1st of January, 1865.

TRUSTEES.

LORING ANDREWS, L. Andrews & Son, No. 72 Gold street.
CHARLES KNEELAND, Bogert & Kneeland, No. 49 William street.
JOHN VANNEST, Vannest & Hayden, No. 79 Beekman street.
JOHN BUTTRIFIELD, Wells, Butterfield & Co., Am. Ex. Co.
JOHN K. FRUYN, President Central Bank, Brooklyn.
SAMUEL R. PLATT, Adriance & Platt, No. 165 Greenwich street.
WILLIAM HARBELL, corner of Maiden lane and Water street.
GEORGE LORILLARD, Rhinebeck.
SILAS B. DUTCHER, Dutcher & Ellerby, No. 63 Pearl street.
JOHN MAIRS, Brooklyn.

PLINY FREEMAN, President.
B. G. BLOSS, Vice-President.

HENRY C. FREEMAN, Secretary.

INVALIDS INSURED AT MODERATE RATES.
THE UNIVERSAL LIFE INSURANCE COMPANY.

OFFICE, No. 69 LIBERTY STREET, NEW YORK.

OFFICERS:

PRESIDENT,
JOHN WADSWORTH.
SECRETARY,
JOHN H. BEWLEY.
CHAIRMAN OF EXECUTIVE COMMITTEE,
ALEXANDER W. BRADFORD.
CONSULTING ACTUARY,
SHEPPARD HOMANS.

MEDICAL EXAMINER,
EDWARD W. LAMBERT, M.D.
CONSULTING PHYSICIANS,
MINTURN POST, M.D.
ISAAC L. KIPP, M.D.
SOLICITORS,
CUMMINS, ALEXANDER,
& GREEN.

SPECIAL FEATURES.

1. The insurance of invalids—comprising those who, on account of some special or general objection on the score of health, family antecedents, or constitution, have been refused insurance by other Life Insurance Companies, and those who, for similar reasons, have felt it useless to apply.

2. All ordinary policies are made payable at death, or to the insured on his attaining the age of seventy-five years. This, it is believed, will, in many instances, be of great benefit, not only in making a provision for extreme old age, but also, when the insurance is obtained for the benefit of others, in affording an opportunity to the insured of making that disposition of the proceeds of his policy himself, and during his lifetime, which he may deem most proper.

3. Losses paid in THIRTY DAYS after due notice and satisfactory proof of the death of the insured; thus avoiding unnecessary delay at a time and under circumstances when delay is very frequently inconvenient and oppressive.

GENERAL AGENTS.

HENRY H. HYDE, 85 State street, Boston, General Agent for the New Eng. and States.
 JOS. L. LORD, Jr., No. 62 Wall street, New York, General Agent for the State of New York (except New York City and Kings County).

L. SPENCER GOBLE, No. 299 Broad street, Newark, General Agent for the State of New Jersey.
 F. RATHBORN STARR, No. 400 Walnut street, Philadelphia, General Agent for the States of Pennsylvania, Ohio, Delaware, Maryland, and the District of Columbia.

H. B. MERRILL, Butler's Block (opposite Post-office), Detroit, General Agent for the States of Michigan, Indiana, Illinois, Wisconsin, Iowa, and Minnesota.

MACK & BRAUNNET, south-west corner Main and Chestnut streets, St. Louis, Missouri, General Agents for the States of Missouri, Kentucky, Nebraska, and Kansas. Communications from persons desiring to act as Agents of this Company should be addressed to the General Agents.

PHENIX INSURANCE COMPANY,
BROOKLYN, N. Y.

Offices, } **NO. 1 COURT STREET, BROOKLYN, N. Y.**
NO. 139 BROADWAY, NEW YORK.

Cash Capital.....\$500,000 00
Surplus, January, 1865 425,099 74
Assets.....\$925,099 74

INSURANCE AGAINST LOSS BY FIRE,

Marine, Lake, Canal and Inland Transportation.

STEPHEN CROWELL, President.

EDGAR W. CROWELL, Vice-President.

PHILANDER SHAW, Secretary.

DIVIDEND.

SAFEST AND CHEAPEST SYSTEM
OF INSURANCE.

FOURTH CONSECUTIVE
SCRIP DIVIDEND OF 60 PER CENT.

STATEMENT OF THE
Washington Insurance Company,
172 BROADWAY, cor. of MAIDEN LANE
NEW YORK, FEB. 2, 1865.

CASH CAPITAL, - - - - - \$400,000

ASSETS, FEBRUARY 1, 1865.

U. S. Bonds (market value).....	\$262,260 00
Bonds and Mortgages.	106,745 50
Demand Loans.....	185,560 00
Cash on hand and in the hands of Agents.....	43,808 23
Real Estate.....	32,364 35
Miscellaneous.....	43,170 46
	\$674,208 54
Unsettled Losses, - - - - -	14,208 54
Capital and Surplus, - - - - -	\$660,000 00

A Dividend of Ten (10) per Cent. is this day declared, payable on demand, in Cash, to Stockholders.

Also, an Interest Dividend of Six (6) per Cent. on outstanding Scrip, payable 15th March, in Cash.

Also, a Scrip Dividend of Sixty (60) per Cent. on the Earned Premiums of Policies entitled to participate in the profits for the year ending 31st January, 1865, being the Fourth Consecutive Scrip Dividend of SIXTY PER CENT. DECLARED BY THIS COMPANY SINCE ITS ADOPTION OF THE PARTICIPATING SYSTEM. The Scrip will be ready for delivery on and after 15th March prox.

GEO. C. SATTERLEE, President.

HENRY WESTON, Vice-President.

WM. K. LOTHROP, Secretary.

WM. A. SCOTT, Assistant Secretary.

STATEN ISLAND
FANCY DYEING
ESTABLISHMENT,

Offices, Nos. 5 & 7 John street, New York,
(TWO DOORS FROM BROADWAY,)

And 47 North Eighth Street, Philadelphia,

Continue their well-known business of Dyeing, Refinishing, &c
They devote special attention to the

DYEING OF DRESS GOODS,

of every description, in the piece or in garments.

Broadcloths, Merinoes,

Muslin de Laines, Paramattas,

Silks, Velvets, Bonnet Ribbons,

Trimmings, Fringe


DYED SUCCESSFULLY

All kinds of Ladies' Garments dyed in a Superior Manner.
SILK, VELVET, AND OTHER

GARMENTS CLEANSED,

Either made up or ripped apart.

GENTLEMEN'S GARMENTS, COATS, PANTS, ETC., DYED OR CLEANSED.

 Goods received and returned by Express. Only one Office
in New York. No office in the city of Brooklyn.

BARRETT NEPHEWS & CO.,

5 & 7 John Street, New York,

Two Doors from Broadway.

P E T R O L E U M .

BOOKS CLOSING.

The Subscription Books of this Company at the original price of \$1 per share having closed, a limited number only of shares remaining will be sold at \$3 per share.

New York, Philadelphia and Baltimore CONSOLIDATED Petroleum and Mining Company,

ORGANIZED UNDER THE LAWS OF NEW YORK.

SHAREHOLDERS EXEMPT FROM ALL PERSONAL LIABILITY.

CAPITAL, - - - - - \$1,500,000,

DIVIDED INTO 300,000 SHARES. PAR VALUE, \$5.

Subscription Price for a limited number only of Shares remaining,
\$3 per Share.

No further assessment or call on the subscribers, as 50,000 shares are reserved for working capital.

PRESIDENT—J. S. CLARK, of New York. VICE-PRESIDENT—R. H. WISHART, New York.
TREASURER—H. F. DEVOE, New York. SECRETARY—J. CONKLIN, New York.

TRUSTEES:

R. V. R. KETCHUM, Baltimore, Md.
O. KING, Baltimore, Md.
J. H. GOULD, Philadelphia, Pa.
W. WOODRUFF, Baltimore, Md.

R. H. WISHART, New York.
DR. T. S. RING, New York.
A. CLARK, Tarr Farm, Pa.
H. B. CLARK, Oil City, Pa.

GENERAL SUPERINTENDENTS:

J. S. CLARK, N. Y. A. CLARK, Tarr Farm, Pa. H. B. CLARK, Oil City, Pa.

OFFICES:

WHERE SUBSCRIPTION BOOKS ARE NOW OPEN,

No. 71 Broadway, New York.

Nos. 612 and 614 Chestnut st., Phila.

No. 1 Carroll Hall, Baltimore street, Baltimore, Md

A new 200 barrel well on Cherry Run.

A new 150 barrel well of fine Lubricating Oil on Sugar Creek.

A new 200 barrel well has been struck on Cherry Run above the Reed well, close to the property of this Company, on the McFate farm, on which one of the Company's wells is almost completed, with splendid prospects of oil.

Another well on the Hogg farm, close to this, is also nearly down, with equally great prospects.

A new 150 barrel well of fine Lubricating Oil has been struck on Sugar Creek (the first well bored), adjoining the Saunders farm, the property of this Company, on which a well is nearly completed, with splendid show of Oil.

One acre (of the seven acres of Homestead Reserve) on the Saunders Farm, which farm belongs to this Company, was sold a few days since for \$15,000.

This Company has five different properties on Sugar Creek, and they alone are worth to-day over one million dollars, and the entire properties of the Company are worth to-day over five millions of dollars (5,000,000)

This Company has twenty-six different properties, embracing fee simple, leases and interests, and amounting to about 655 acres, more or less, of land, carefully selected from the very heart of the oil region of Pennsylvania, and located as follows:

- No. 1, on SAUNDERS FARM, on SUGAR CREEK.
- No. 2, on McFATE FARM, on CHERRY RUN.
- No. 3, on BLOOD FARM, on OIL CREEK.
- No. 4, on WIDOW McCLINTOCK FARM, on OIL CREEK.
- No. 5, on STEEL FARM, on OIL CREEK.
- No. 6, on STEEL FARM, on OIL CREEK.
- No. 7, on STEEL FARM, on OIL CREEK.
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While it affords none more pleasure to do justice to the merits of a good book we shall continue to criticise those of the opposite character. A notice in a paper which must necessarily be brief may be more appreciative than the character of the work noticed deserves, and yet not imply any dishonesty or bad faith on the part of the editor; but none know better than our book publishers that if a quarterly does not make some attempt at separating the wheat from the chaff, but praises every book it notices, it is simply a *puffing* machine, not a *Review*. As to any hostile feeling on the part of the editor towards the publishing fraternity, he certainly entertains none; on the contrary, there is no *fraternity* he likes better, or among whom, in proportion to their number, he has so many esteemed friends.

Education in every form, including Art and Science, will receive prominent and friendly attention in the "NATIONAL QUARTERLY;" and whatever seems calculated to retard or vitiate it, whether under the name of a text-book, a painting, a seminary, a gallery, or a college, will be subjected to fearless, but fair and temperate criticism.

Once more the editor returns his sincere thanks to the daily and weekly press for the cheering words with which it has received every number, from the first to the last issued. Among the more intelligent and respectable class of American journals we do not know of a single one that has spoken of our journal in any other terms than those of approbation and encouragement; and never were kind words more disinterestedly spoken. The editor is also indebted to several of the ablest journals of Great Britain, France, and British America, for very flattering estimates of his labors.

From a large number of reviews and notices by leading journals, foreign and domestic, the following brief extracts are selected:

Mr. Sears published his first number, and the public at once saw that a youthful Hercules had entered the field as a Quarterly Reviewer. The succeeding tri-monthly issues of the *National Quarterly* have fully maintained the reputation which was thus won at the first grasp. This Review certainly stands now at the head of American critical literature, and is so esteemed in Europe. In its political articles it has been consistently and thoroughly loyal—not indulging

in showy and verbose declamation, but giving logical reasons for its faith. It has fearlessly exposed charlatanism and quackery—whether in science, literature, insurance companies, phrenology, or medicine. * * * Enumerates the vast quantities of nostrums and their deleterious effects; exposes the book-making processes of their vendors; anatomizes their advertisements and treatises; examines their testimonials; exposes the outrages upon public decency which some journals publish because quacks pay for them; and generally dissects the system.—*Philadelphia Press*.

The University of New York has conferred upon Mr. E. I. SEARS, A. M., the degree of LL. D. This title is well bestowed, and in this case reflects credit on the institution.—*New York Home Journal*.

The University of the city of New York, which some two years ago equally honored itself and acknowledged the eminent merit of a very able writer and sound scholar, by conferring the degree of Master of Arts upon Edward I. Sears, Esq., editor and proprietor of the *National Quarterly Review* has still further carried out its purpose by presenting him with the degree of Doctor of Laws.—*Philadelphia Press*.

The University of the city of New York has conferred the degree of LL. D. on E. I. SEARS, Esq. the learned and accomplished editor of the *National Quarterly Review*. A compliment well deserved by profound erudition and successful labor in the field of literature.—*Boston Post*.

In the article on "Quack Doctors" a number of names well known to the public are rather roughly handled. The article on Brazil contains a large amount of valuable information relative to a country which must, in time, become far more closely connected with our own than at present.—*N. Y. Evening Post*.

But the one that will most attract attention this month is that upon Quack Doctors and their performances. These men have, like the seven plagues of Egypt, literally infested the land; and they infest it now. A spear of an Ithuriel is necessary to shatter their whitened sepulchres, and let the pure air in upon them, and cleanse them. The author takes them up and handles them as they deserve, and comes to the conclusion that they have slain more of the Saxon race than war, pestilence, and famine for the past few years. He tells us one thing that we are ashamed to know to be a fact, and that is, that some of them have changed their headquarters of humbugging from London to New York, because they find the Americans a more gullible people than Englishmen. We hope Mr. Sears will continue the battle and clear out the Augean stable.—*Boston Post*.

* * More than a year ago we ranked it with the best of our own Quarterlies, and it has certainly not lagged since in ability or vigor. * * —*London Daily News*.

This rising periodical approaches nearer in design and execution to the great English standards, the Edinburgh, the Westminster, the London Quarterly, Blackwood's, the Dublin University, &c., than any other American magazine or review.—*Philadelphia North American*.

In our literary history there is no parallel to the rapid progress made by the *National Quarterly* in public estimation, and this fact is in itself a refutation of the oft-repeated assertion that a first class Review would never succeed in the United States. Mr. Sears has disproved this assertion, and we are glad to perceive, from the extracted notices from foreign as well as domestic journals, that his varied, profound, graceful and scholarly review is properly estimated by the American and European press.—*Metropolitan Record*.

* * It is creditable to our transatlantic friends to sustain a journal which, like the *National Quarterly*, possesses the courage to unmask false pretensions, and both the ability and disposition to improve the public taste. * * —*Edinburgh Scotsman*.

* * The number begins a new year of the *Quarterly*, and will draw attention to its marked claims on public patronage. * * —*Boston Transcript*.

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* * We have been much interested in witnessing the steady advance of this new periodical. It combines great learning with vigor of style and fearless utterance. * * —*Boston Journal*.

We have taken occasion more than once to speak of the ability with which this *Quarterly* is conducted, and have remarked its superiority in one thing over every other secular work of the kind in the English language. That one thing is its *candor*, which is manifested in its *freedom from prejudice of all sorts*, and its disposition to respect and promulgate truth, no matter whose prepossessions may be shocked thereby. It does not wed itself to a theory, religious, historical, or other, and then set to work to bend its arguments to suit its formula, but, as every Review should, gives free play to everything that serves to establish facts on their true basis, and eradicate the misconceptions of its readers on points which early training or other causes may have given root to.—*Baltimore Catholic Mirror*.

We relish the incisive discussions, which are a prominent feature in the *Quarterly*, of the "sensational novels," and the very dirty accompanying phases of publishers' and critics' operations, and its energetic exposure of sundry impudent translations of French novels. The critical department is unusually full and careful, especially upon educational books. * * Its critical estimates of moral and literary merits and demerits are honest, clear, and almost always trustworthy, often accurate and original.—*New York Independent*.

We yesterday received the March number of this able and interesting periodical, and find it the equal to its predecessors—which is as high an encomium as we can pronounce. We have carefully perused every number of this work, since its commencement, and find it to equal in interest any of the foreign, and far superior to any other American *Quarterly*. It reminds us of that able and liberal publication, the *Westminster Review*; and we feel confident that it is destined to play as conspicuous a role in science and literature as its English contemporary.—*Nashville Union*.

* * The review of "Our Quack Doctors and their Performances" is a cleverly written and scathing *exposé* of the tricks by which medical imposters contrive to gull weak-minded and nervous people out of their money, and will create quite a fluttering among the confraternity.—*N. Y. Herald*.

* * Pour bien apprecier cet écrivain il faut le comparer à ses devanciers dans la littérature critique Américaine, et l'on verra quel pas immense qu'il fit faire. * * —*La Presse, Paris*.

The tone of this "Review" is hardly such as can be pleasing to Irishmen, and more especially to Catholic Irishmen. Yet there is sufficient attraction in the style in which its articles are written that cannot but be admired. * * Some other papers in the "Review" are worth reading, if it were only to study and trace the train of thought and style of reasoning which are to be found in them.—*Dublin Nation*.

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